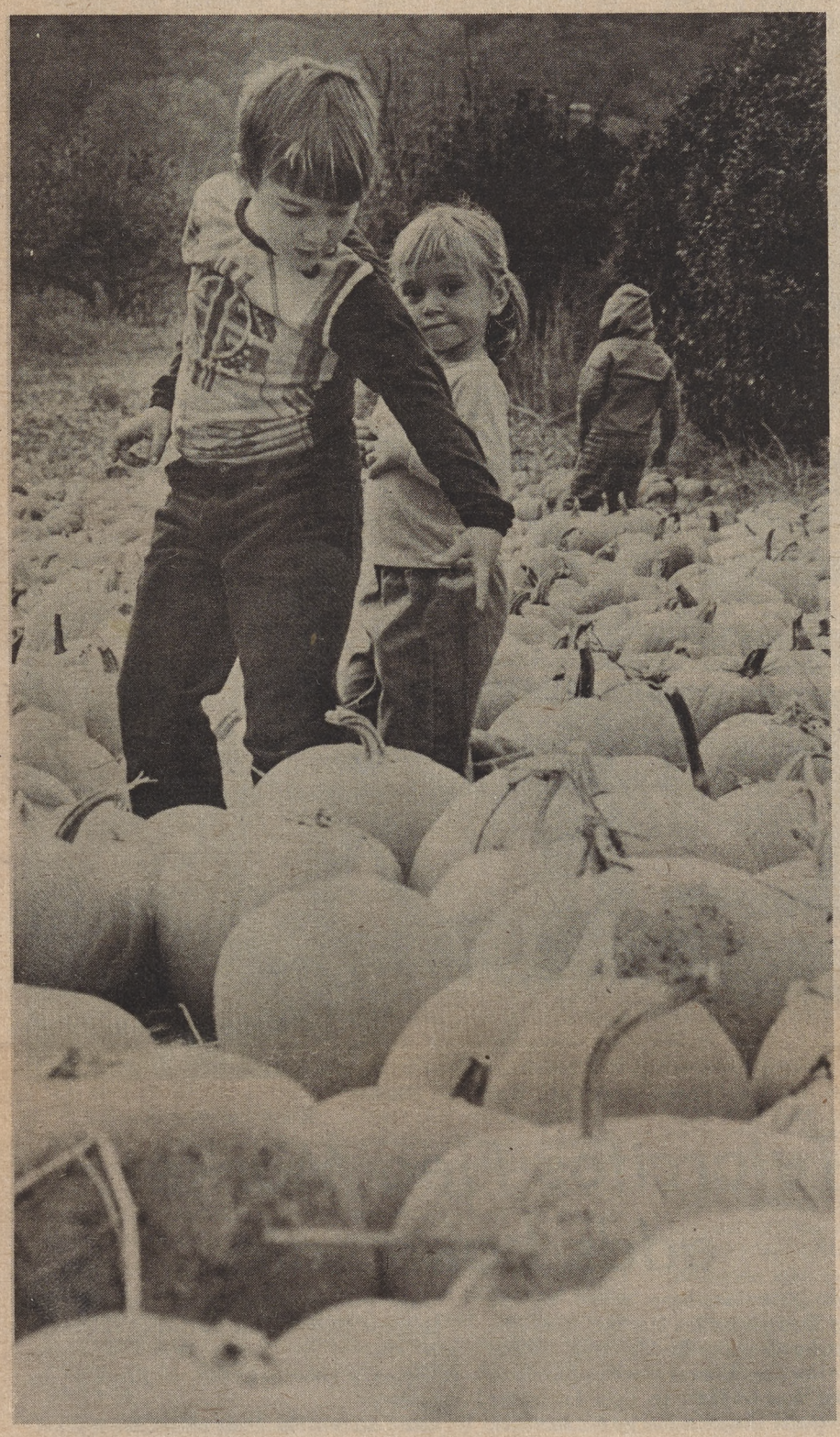
carmel valley
outlook
October 26, 1978



THAT AUTUMN THRILL of picking a Halloween pumpkin right from the field was enhanced last weekend at Wolter's Market by a live scarecrow hired to give out candy. Pint-sized pumpkin pickers Jennifer Lepere and Brian Seller from Monterey found jack-o'-lanterns (upper left photo), and Justin and Christie Morford, brother and sister from Salinas, searched for the very biggest (upper right photo). Frank Veronick (lower left photo) seems lost in a sea of the winter squash and Derek McCarthy and his friend Briant Peters (lower right photo) walked away beaming after being given candy by the scarecrow. (Photos by Kirk McClelland and Michael Stang)

under the oaks and among the cacti

by Mildred Hattan

All ghosts, goblins invited

Great Pumpkin Carnival Tuesday at Youth Center

Celebrate Halloween at the Great Pumpkin Halloween Carnival on Tuesday from 5:30 to 8 p.m. at the sponsoring Carmel Valley Community Youth Center. That's the invitation issued to ghosts and goblins of all ages from Mrs. Marion Englund, chairman of the affair.

The parade, originally scheduled as a part of the festivities, has been canceled because of darkness at an early hour. All costumed participants are asked to go directly to the center where prizes will be presented following the judging.

A reminder: Pumpkin carving entries are to be in place for judging by 6:30 p.m.

Carol Arana, in charge of the "Witches Kitchen," has a party menu featuring corn dogs, burritos, apples, coffee, hot chocolate and apple cider.

There will be a cake walk co-chaired by Beth Stratton and Diane Garneau; Madam Zeldarina will read your past, present and future; and Vic and Susie Harber have created a spook house.

Carnival booths include: a fish pond, cane toss, balloon dart, tic tac toe, wheel of fortune and milk bottle toss. Volunteers in the concessions, in addition to members of the youth center board of directors, will be members of the Chamber of Commerce, Youth Group, Kiwanis Club and the Lions Club.

Nita Pylate is in charge of prizes. Ticket sales are being handled by Sharon Hogans and David Simpson.

At 8 p.m., the English horror film classic *Dead of Night* will be shown at the center. Admission is $1 for members and $1.50 for non-members.

Pizza for grand prize winner in Carmelo pumpkin carving

A "Famished Family" certificate from Straw Hat Pizza awaits the grand prize winner of the family pumpkin carving contest at the Carmelo Halloween Carnival on Saturday at Carmelo School from 4 to 9 p.m.

Other activities will include a sponge toss, lollipop tree, tarot cards read by Billie Arnold, wheel of fortune, ring-a-clown, ring-a-coin, basketball toss, fish pond and pocket ladies.

Carnival committee members include: food chairman, Brigitte Fuerstner; cooks, fathers of Indian Guide princesses; tickets, Ginnie Charland; game prizes, Alyce Foster; raffle, Joe and Kathy Maggiore, Ray Foster; cake walk, Carolyn Trudeau and Donna Lewellen; coordinator of booths, Carolyn Rice; decoration of booths, Judi Engle, Kathy and Joe Maggiore and the students of Carmelo; faculty assistant, Ruth Pease; clean-up chairman, Bobby Morrill.

Popcorn balls, caramel apples and cupcakes will be sold by parents of the Mid-Valley Cooperative Nursery School. Also for sale are hot dogs, hamburgers, corn on the cob, pickles, coffee and juice.

Costumes will be judged by friends of Carmelo from Carmel Valley Manor. Prizes will be awarded.

Band plans rummage sale

The Carmel High School Band Rummage Sale is scheduled in the music building on Saturday from 9 a.m. to 4 p.m.

Items, including an English tea pot, will be found in the boutique; Christmas gift wrap and gift items, and baked goods will be sold.

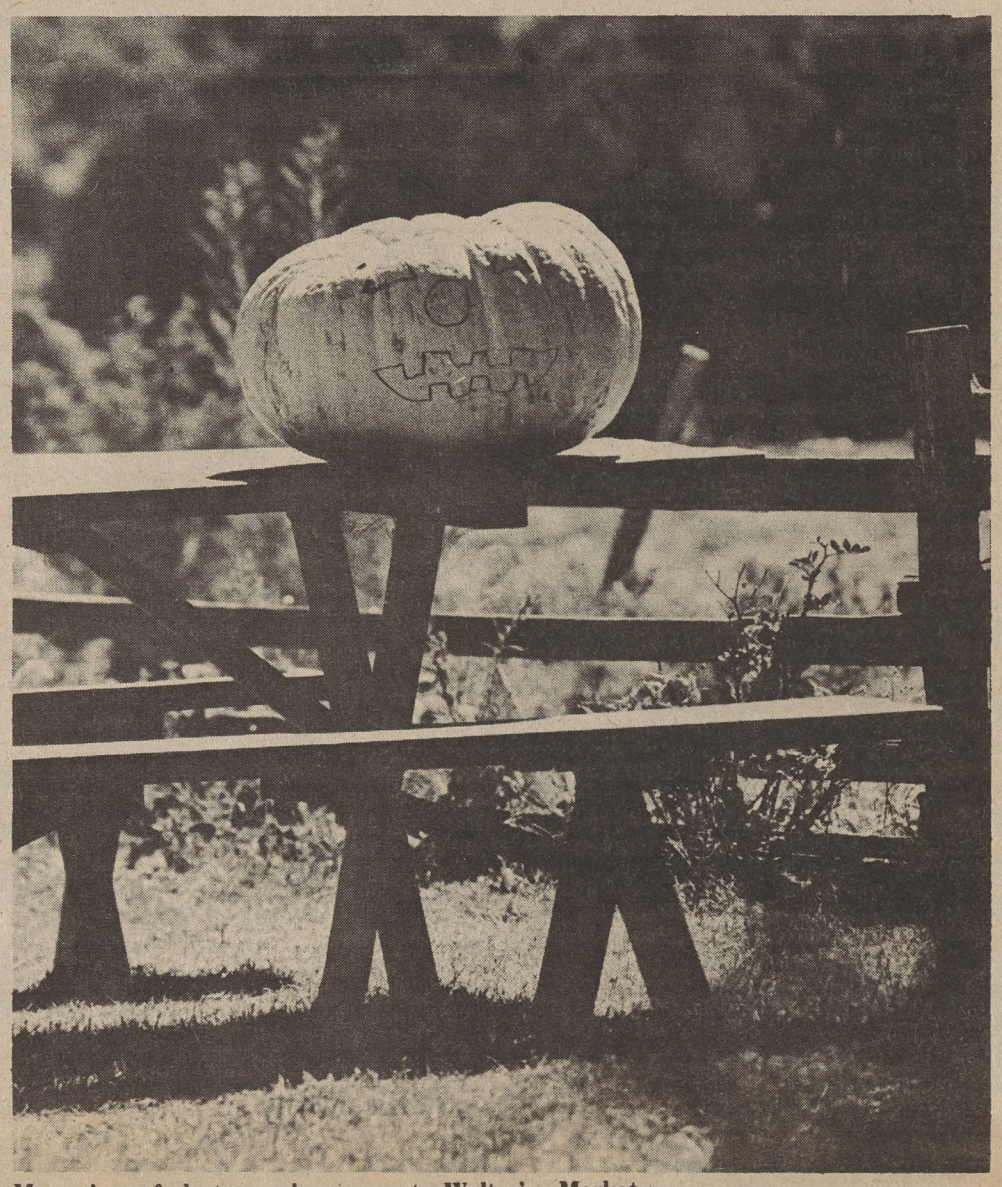
Holiday fruitcakes for the Padre band's fundraising project have arrived and will be for sale for gifts or to put away for your holiday entertaining.

Halloween costume dance on Friday at Youth Center

The young people of Carmel Valley are invited to attend a costume Halloween dance at the Carmel Valley Community Youth Center on Friday, 8 p.m. to midnight. Admission is $1 with a Community Youth Center membership card or $1.50 for non-members. Prizes will be awarded for the best costumes according to Ken Nixon, chairman of the holiday event, and the snack bar will be open.

Pop music for dancing will be quadraphonic sound provided by the Nixon Studio in Monterey.

Assisting Ken will be Cindy and Rudi Lamar.



Memories of last year's crop at Wolter's Market.

Tularcitos Flea Market adds bake sale

A bake sale has been added to the Saturday Tularcitos Flea Market, according to chairman Natalie Rodda. She invites shoppers to enjoy dessert there or purchase something home baked to take home for dinner. Natalie also is in charge of the snack booth featuring hot dogs and soft drinks for the shoppers.

The event, which will benefit the Tularcitos Parent Club, includes a rummage sale chaired by Nancy Watts who has collected a good selection of items to be recycled.

Jim Luttrell, chairman of the flea market, offers spaces for sale for $20. To reserve a space, phone Jim at 659-4600.

Carmel High School hires Mollie O'Neal to teach dance

Carmel High School will have a dance instructor in the physical education department later this semester.

The Carmel school district board of trustees hired Mollie O'Neal of Carmel Valley to teach two periods of dance a day during the second half of the semester.

The trustees first questioned whether the high school needed an additional physical education teacher because class sizes in some academic courses already are too large.

But Principal Dan Stevenson said there are more students enrolled in physical education this year and there are fewer teachers than last year. The two dance sections would give the high school only one-third of the dance classes it offered last year he added.

Counselor Marcia Green said many girls would like to take dance classes, but choose other physical education electives because it is not offered.

The board agreed to hire O'Neal on a 4-0 vote provided the district will not be committed to rehire her next September.

Smith withdraws resignation

Phillip K. Smith, principal at Carmelo and Tularcitos schools, formally withdrew his resignation from the jobs Tuesday. He will continue on as principal of the two Carmel Valley elementary schools for the remainder of the school year.

Smith resigned Aug. 21 for "personal reasons," but changed his mind while the school district board of trustees hunted for a successor.

He will receive a $1,200 stipend for serving as principal of both campuses.

The district trustees agreed on a 4-0 vote to rescind Smith's earlier resignation. Trustee Richard Wilsdon was absent.

Poinsettias will decorate Barnyard

The Poinsettia, known as the "Christmas Flower" is a native plant of Central America and Mexico. It was discovered by Dr. Poinsett in 1828, and dubbed the "Flower of the Holy Night" by the Mexican people. Hundreds of the bright red plants will decorate the Barnyard this year.

Norton earns masters at Marquette

William Norton of Carmel Valley has received his master's degree in civil engineering from Marquette University in Milwaukee.

He earned the degree after completing the summer academic session at the university.

carmel valley
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At the mouth of Carmel Valley

Marriott wins a battle; may lose the war

DEVELOPERS OF the proposed Rancho Canada Marriott Lodge in Carmel Valley got a clear indication Tuesday that the hotel plan will be rejected if it ever reaches the Monterey County Board of Supervisors for final action.

The board voted 3-2 to declare the 376-room resort hotel project consistent with the Carmel Valley Master Plan of 1961. It overturned a Monterey County Planning Commission ruling that the hotel would not be consistent with four master plans, including the Carmel Valley plan.

Declaring it consistent only means that the planning commission can consider the hotel proposal on its merits. The developers must go before the commission again to request a use permit for the project.

In the course of two hours of debate before a packed house in the supervisors' chambers, three board members declared themselves unalterably opposed to the resort hotel.

Supervisor Michal Moore of Monterey, who voted to find the project consistent, told Marriott attorney Gerald Dalton he will vote against the hotel itself if it comes before the board.

"The economic decision to proceed or not is yours," he said. On the "narrow grounds" of master plan consistency, he said, he could not vote against Marriott.

"With regards to a use permit, I think your project is inconsistent," Moore added.

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SUPERVISOR SAM Farr of Carmel agreed with the planning commission findings that the hotel is in conflict with the Carmel Valley Master Plan, the Lower Carmel Valley amendment to that plan, the Monterey Peninsula Area Plan and the Conservation-Open Space element of the Monterey County General Plan.

All those plans indicate the proposed hotel site on the west end of the Rancho Canada Golf Course is either rural residential or greenbelt land, Farr said.

Supervisor Dusan Petrovic of King City joined with Farr in the minority voting to declare the project inconsistent. But he voted on grounds which drew a cry of outrage both from Moore and from golf course owner Nick Lombardo.

"Before it is brought before the board, a certain explanation should be made that the project would have a certain chance or an even chance to be approved," Petrovic said. "Why approve an environmental impact report if you believe you will kill the project? If that's going to be the fate of the project, why carry on?

"We have to use some common sense and spare our time and the time of our personnel," he said.

Moore said it "isn't fair" to deny the developers the right to pursue the development plan.

"I can't believe that anyone as interested in the process of democracy as you are would say such a thing," Moore told Petrovic. "I'm stunned."

Lombardo was equally upset. After the meeting ended, he said, "I can't believe at a level of the law I would have to hear someone suggest I don't have the right to due process. The most important right an American has is the right to try and fail."

Faced by opposition from three of the five supervisors, Lombardo remained adamant about the hotel and what its future chances are.

"I won't address that at this time," he said. "We will proceed in due process on the merits of the project."

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COUNTY ZONING Administrator Robert Slimmon said the soonest the hotel could be back before the planning commission for a use permit hearing would be Nov. 29.

Dalton had no comment on whether the developers, Winthrop Carmel Inc., would ask to be placed on the commission agenda then.

Dalton made a lengthy presentation to refute the planning commission findings that the resort hotel complex would be inconsistent with the Carmel Valley and other master plans.

"I disagree entirely with (its) action," he told the board. "I believe it was slapped together and is not in agreement with any of the plans."

He then quoted specifics from the various plans to show contradictions between them and the commission ruling.

Dalton also said the Carmel Valley Master Plan should be the governing document, a contention supported by Supervisors Moore, Edwin Norris and Kenneth Blohm in upholding the Marriott appeal.

Douglas Despard, president of the Carmel Valley Property Owners Association; John Williams of Carmel Highlands; attorney Sid Morris of Carmel Valley; Elliott Anderson of the Rancho Rio Vista Homeowners Association; Philip Oberg of the Carmel Area Coalition; and several other speakers made presentations to the board in support of the planning commission decision.

Despard said the hotel would represent "a substantial increase to the commercial area" at the mouth of the Carmel Valley.

State attorney's finding

'Heritage City' plan unconstitutional, analyst says

By BRUCE HOROVITZ

CARMEL MAYOR Gunnar Norberg's plan to bring all 594 square miles of Carmel Unified School District into an unusual "Heritage City" government is unconstitutional in many phases and redundant under existing law, according to a report form a state legislative consultant who has studied the proposal since February. Norberg introduced the plan in 1971.

"It has conceptual merit. . . (but) the provisions of the proposal appear to raise either constitutional questions which would result in endless litigation or seem to be fairly well covered off under existing law," said John G. Tennyson, the consultant, in his report received by Assemblyman Henry J. Mello, D-Watsonville, last week.

Norberg said he has "not lost faith" in his original proposal, when contacted on Monday. He still wants Mello to introduce enabling legislation this year. Norberg also expressed interest in a statewide ballot proposition "where voters could decide if Carmel should be saved for posterity."

The 40-page report documents some 20 U.S. and state Supreme Court decisions that outline potential illegalities of the Heritage City proposal.

The report speaks unfavorably of Norberg's plans to bolster local control over land use, air pollution standards, chain businesses, state highway projects and an annexed area that would be nearly 600 times the size of Carmel today. Heritage City would stretch from Pebble Beach and Jacks Peak, on the north, to the upper reaches of the Carmel Valley to the east, and down the coast to Big Sur.

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"IF WE ARE to take the most arbitrary interpretation

Text of report is on page 7

of Mr. Norberg's proposals, many of them would be clearly unconstitutional under present court rulings. It is doubtful that the legislature would deem it wise or appropriate to authorize city powers which would so clearly be overturned by the courts," the report said.

Norberg still spoke optimistically of the proposal. If a Heritage City is not possible under present laws, then the laws should be changed, he said Monday.

"All sorts of lawyers will think of ways that things can't be done. Tennyson and other lawyers have a tendency

Continued on page 7

Appointed manager

DONALD M. Wiesner has been appointed manager of Wells Fargo Bank's Monterey office. He also has managed the Carmel Valley office. Wiesner is a director of the Carmel Valley Rotary Club, and treasurer of the Carmel Valley Chamber of Commerce and a member of the Carmel Business Association.

Carmel leaders polled

Educators overwhelmingly oppose anti-gay ballot issue

A MAJORITY OF Carmel school board members oppose Proposition 6, the Nov. 7 ballot measure involving homosexual teachers. In an informal poll, the superintendent and the president of the Carmel teachers' union also opposed the statewide measure.

The measure was placed on the ballot by an initiative drive spearheaded by State Sen. John V. Briggs (R-Fullerton).

Briggs contends that the law is needed to protect children from indoctrination by homosexual teachers in the public school system.

But Carmel school district trustees and administrators almost unanimously regard the initiative as unnecessary and a threat to civil liberties.

The district has taken no formal position on Prop. 6. Neither has the Carmel Teachers' Association (CTA), the teachers' union.

According to Bruce Stannard, president of the CTA, teachers don't like to make statements on any political issue. But feeling about the bill is strong, he indicated.

Everybody I've talked with in the association is opposed to it," Stannard said. "I think it's a bad deal."

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THE BILL WOULD require school trustees to conduct dismissal hearings for any teacher, administrator, counselor or teacher aide implicated in public homosexual "conduct" or "activity."

The "activity" section is clear in meaning. It is defined in the initiative as homosexual acts illegal under California law.

The "conduct" definition is vague. Even the legislative analyst's office says it would depend "on how broadly or narrowly the 'advocacy' or 'promotion' of homosexual behavior is interpreted by the courts."

Opponents of Prop. 6 charge that it could extend to heterosexual individuals who speak out in favor of homosexual rights.

A dismissal hearing is required under the initiative if a written complaint is submitted to the board of trustees. The board must conduct a series of hearings to determine if the charges are true and then determine if the employee is unfit for service. If so, firing is mandatory under the law.

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CARMEL SUPERINTENDENT Carl E. Wilsey said the initiative is a duplication of existing education law.

"My understanding is there are sufficient laws for a school board to dismiss a teacher who is a known homosexual who either advocates in a classroom to children the practice of homosexuality or who blatantly displays a homosexual lifestlye," Wilsey said.

James Stefan, the county superintendent of schools, agrees. He cited education code sections which permit firing for "immoral or unprofessional conduct," "evident unfitness for service," or conviction of a felony.

"Evident unfitness for service is a pretty broad category," Stefan said. "What bothers me about Prop. 6 is the door is open and it might promote witch hunting."

Wilsey also is concerned about this.

"The new proposition would require an investigation and action on any charge by any disgruntled student, parent or citizen," he said.

Given the existing education code, Wilsey concluded, "I do not see where we need that particular law."

Clayton Neill Jr., president of the Carmel district board of trustees, has not made up his mind on the initiative.

"I haven't studied it," he said. "I don't know anything about it, to be honest. I don't circulate with that group of people."

Neill said he doesn't believe the school board as a group should take a stand on any issue before the voters.

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TRUSTEE Elizabeth Bell also is opposed to a formal board stand on Proposition 6, but for a different reason.

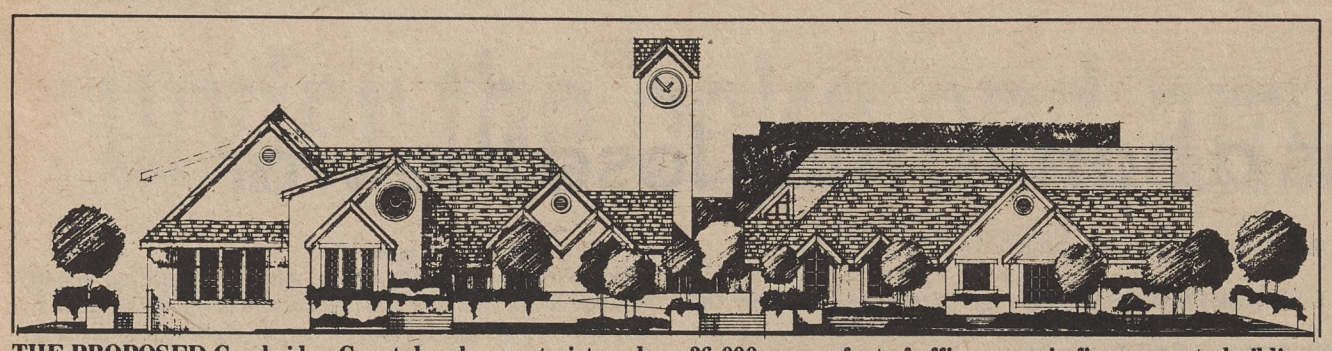
"There is no reason to even give it time," she said of Prop. 6. "I think it is totally unnecessary. We have all the rules on the books we need to control misconduct."

Trustee Pamela Smith called it "an unnecessary and perhaps very harmful proposition."

Trustee Frances Gaver said, "I just think it's a bad law and I'm opposed to it."

Trustee Richard Wilsdon was on vacation and unavailable for comment.

None of the trustees expressed interest in taking an official board position on Prop. 6. Nor could they recall any complaints about homosexual teachers in the district.



THE PROPOSED Cambridge Court development pictured here is viewed from the new unnamed road off Rio Road and near the Carmel post office. The project would have 36,000 square feet of office space in five separate buildings around a central courtyard and clock tower.

Related project pending

Post office construction begins

PREPARATION for construction started Monday at the site of a new post office at the mouth of Carmel Valley. The foundation is expected to be laid by the end of next week.

About 40 per cent of the mail now routed through the Carmel-by-the-Sea post office will be diverted to the new post office. Most of the mail will go to unincorporated neighborhoods outside the Carmel city limits.

Barring heavy rain, the new post office should be completed by July, said Joseph Cullumber, president of Cullumber Construction Co. of San Juan Bautista. The company submitted the low construction bid on the project. It was $857,900.

Earlier this week, dump trucks were scheduled to haul in fill dirt to help compact the building site at Rio Road and Carmel Rancho Boulevard. Surveyors staked the construction area last week, Cullumber said.

Meanwhile, two commercial developments in the Carmel Post Office subdivision face hearings before Monterey County officials in two weeks.

Developers of Cambridge Court, a 36,000-square-foot professional office complex, goes before Zoning Administrator Robert Slimmon for a use permit on Nov. 9.

The development at the north end of the subdivision calls for five separate buildings with an underground parking lot around a central courtyard. It would contain an art gallery in addition to the offices.

The project by Carmel Point Investments would occupy 1.4 acres just south of the Barnyard Shopping Center. The architect is Gene Takigawa of Monterey.

A second project in the subdivision, the Curtis-Laskin building, goes before the Monterey County Board of Supervisors on Nov. 7. Developers Herma Smith Curtis and Henry Laskin are appealing rejection of the three-story building by the Monterey County Planning Commission.

The commission cited the 40.5-foot height of the building as grounds for denial, although zoning in the area permits a 45-foot maximum.

The commissioners said there is an informal policy restricting heights in the mouth of the Valley. The Lower Carmel Valley Advisory Committee has since recommended an official policy change to lower the maximum height limit in the area to 35 feet.

Water company is a step closer on new well drilling

CALIFORNIA-AMERICAN Water Co. will not have to prepare an environmental impact report before requesting approval to drill four high-yield wells in the Lower Carmel Valley.

The Monterey County Board of Supervisors ruled out an impact report Tuesday. But the board will consider conditions on the proposed wells to protect riverside vegetation.

The plants and trees are considered essential to protect the banks of the Carmel River from erosion.

Supervisor Michal Moore of Monterey will meet with Cal-Am representatives and Ed Lee of Carmel to formulate environmental mitigations for the wells. Lee served on the Zone II Water Advisory Committee, which investigated the Carmel Valley aquifer, and has researched the aquifer and Valley erosion on his own.

He submitted a six-page critique of the wells and their potential impact on the water table and riverbank vegetation to the supervisors. The report will be used as the basis for determining how to mitigate well damage.

Lee recommends that Cal-Am install an irrigation system for 2,100 feet on either side of the wells to irrigate vegetation on the riverbanks.

The plants would be watered any time the wells drawdown the water table 10 feet or more on a continuous basis. Pumping from the wells would be barred until the system is in place under Lee's proposal.

If the irrigation system is not required, Lee suggests that Cal-Am post a $27.6 million bond against property damage caused by erosion.

Moore said he agrees with some of Lee's recommendations and disagrees with others. He will report back with proposed mitigations Nov. 7.

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THE FOUR CAL-AM wells would produce 5,000 acre-feet of water at full production capacity. This would raise the utility's total production to the 22,000 acre-feet safe yield projected by the state Public Utilities Commission.

The company now can produce 17,000 acre-feet per year. It is expected to reach its 22,000 acre-foot capacity by the turn of the century.

Three of the four wells are located near the Carmel Valley Golf Club. The fourth is on the Rancho Canada Golf Course.

The Monterey County Planning Commission had recommended an environmental impact report on the wells because of concern about their effects on riverside vegetation.

A $10,000 study commissioned by the county and paid for by Cal-Am to look at just that issue was rejected by the commission because it came under heavy criticism at an Aug. 30 public hearing.

The CH2M Hill study concluded that the drought, not drawdown of the water table by Cal-Am wells, killed most of the vegetation.

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LEE, ONE OF THE most severe critics of the study, reiterated his opposition Tuesday. He called various sections of the document "pure nonsense" and "ridiculous" for concluding that trees don't protect riverbanks or that the wells are not responsible for killing trees.

But Lee said the time and money needed for an EIR would not be required if there were sufficient mitigating conditions placed on the wells.

Supervisor Sam Farr of Carmel said an impact report should be prepared to draw together all information on the aquifer and the effects of wells on vegetation. He agreed with Cal-Am attorney Leonard Weiss that there is a vast amount of information, but said it is difficult to obtain and organize.

"You practically need to be an octopus," Farr said, to pull together the data from all the sources.

Farr said an EIR also would allow for full public discussion of the CH2M Hill study.

But he only could muster the support of Supervisor Dusan Petrovic of King City to uphold the planning commission and order the EIR. The motion failed on a 3-2 vote. Cal-Am's appeal of the EIR was upheld on the same vote, with Supervisors Moore, Edwin Norris and Kenneth Blohm supporting the utility.

The board will adopt mitigating conditions for the wells at its Nov. 7 meeting when Moore reports back.

Cal-Am then would have to request use permits for the wells from the planning commission.

Two local precincts will help ABC news predict winners

Two voter precincts in Pebble Beach and Carmel Valley will help ABC News predict the outcome of the California governor's race on election night.

The television network Tuesday received permission from the Monterey County Board of Supervisors for a "snap tally" of the ballots in five county precincts immediately after the polls close Nov. 7. Polling place workers will perform the count.

The results will be used along with other tallies statewide to project the winner between Democratic incumbent Edmund G. Brown Jr. and his Republican opponent, Attorney General Evelle J. Younger.

ABC also will use data from the precincts to predict the winner of the 16th Congressional District race between Rep. Leon E. Panetta, the Democrat, and challenger Eric Seastrand.

The special hand-counting of ballots was approved for the precinct polling place in the Fountain Room of the Spyglass Hill Club in Pebble Beach and at Carmel Valley Manor.

Seven-unit proposal in Robles rejected

By KEN PETERSON

A seven-unit subdivision proposed for Robles del Rio was turned down by the Monterey County Planning Commission Wednesday on a tie vote. The project will be appealed to the Monterey County Board of Supervisors.

The Vista Robles subdivision at the south end of Calle de los Agrinemsors is one of three lot splits proposed for that immediate area which have generated great public opposition in recent weeks.

The 'Robles Revolt' will hold a meeting Tuesday, Oct. 31, 8 p.m., at the Hidden Valley Music Seminars on Carmel Valley Road. Anyone interested is invited to attend.

About 30 residents of Robles del Rio turned out for a 3½ hour commission hearing to argue against Vista Robles. They also presented slides and a film to illustrate problems which further growth would aggravate.

They cited problems with traffic access and fire protection as two main reasons for denying the development.

The commission could do no better than tie on two votes on the matter. It voted 3-3-1 to reject the tentative map for Vista Robles. Commissioners William Peters, Charmaine Cruchett and Joseph Sullivan voted to deny, Commissioners Manuel Jiminez, Walter Basham and Charlie Williams voted to support the project and new Commissioner Gary Varga abstained because he had not attended all the hearings on the proposal. Peter Cailotto and Marc del Piero were absent.

The panel then voted with the same 3-3-1 split to approve the development. In this case, the tie defeated the project at the commission level.

The commissioners were torn between approving a development which would improve some obvious problems in the Robles area and rejecting it because the most significant problems are still without solutions.

Jack Van Zander of Bestor Engineers Inc., the spokesman for the four partners in the project, said the Vista Robles subdivision would provide two fire hydrants, a paved fire road and a 60,000-gallon water storage tank as conditions of development.

This, he said, would improve fire protection in an area Peters has called "Carmel Valley's fire trap."

Residents of the area countered that the development will add to the cumulative impact on an already overburdened road and water system which cannot stand more growth.

"We have problems there where it seems to me one more car would break the camel's back," said Joe Nolls, a Robles del Rio resident.

Several speakers for the Robles Revolt homeowners group pointed out that the entire 400-home subdivision is served by a single access road across a narrow two-lane bridge. The bridge would be the only escape route in case of a fire as well as the only access road for firefighting equipment.

"In case of a fire, the Robles area would be a disaster," said Jane Jewett, a resident of the area. "The possible loss of human life is frightening."

Van Zander countered with the proposal that property owners form an assessment district to build a second access route and widen some other roads in Robles del Rio.

Peters said the cost of condemning property and building another access across the Carmel River would probably be prohibitive.

"What it comes down to is we have a self-contained community in Carmel Valley and it's overdeveloped in a dramatic fashion," he said.

Sullivan suggested tabling the proposal until the people of the area get more information about an assessment district and its costs.

"However desirable it may be for the people out there to solve their problems," countered Mrs. Cruchett, "what we have before us is an application for a project which does not pretend to address the problems of the area."

With commission rejection of the project, Peters said he will seek action from the Carmel Valley Master Plan Committee to spell out development guidelines for Robles del Rio. He said the community may consider banning future lot splits in the area and permitting construction only on existing lots of record until the problem of access is solved.

Thousands of books on sale this weekend

Thousands of used books priced from a dime up will go on sale Friday and Saturday to benefit Harrison Memorial Library in Carmel.

The annual benefit sale sponsored by the Friends of the Harrison Library begins at 10 a.m. Friday at the Carmel Masonic Temple, Lincoln near Seventh.

According to Jerry Larson, one of the volunteer organizers of the event, there will be several thousand titles on sale.

Both hardbound and paperback books will be offered, Larson said. Most books are priced in the 25- to 50-cent range, although there will be "special prices for special books," he said.

The sale will continue from 10 a.m. to 5 p.m. both Friday and Saturday.

All proceeds will go for non-budgeted expenses of the Harrison Memorial Library.

Lower Valley plan asks more trees and lower roofs

MORE TREES and lower buildings would be the rule at the mouth of the Carmel Valley under a set of policies proposed by the Lower Carmel Valley Advisory Committee.

The panel also would like design control over all structures from Highway 1 to Laureles Grade Road. That idea got a cool reception, however, from the Carmel Valley Master Plan Committee last Thursday.

The committee plans to recommend the new guidelines to the Monterey County Planning Commission. Eventually they must be accepted by the county board of supervisors before they could take effect.

Advisory committee proposals include cutting the maximum building height in four Lower Carmel Valley commercial areas from 45 to 35 feet. They also would require developers to plant trees along streets and in parking areas. Now only shrubs are required.

The trees would have to be species which grow tall and put out spreading branches. Committee chairman Charles McCulloch said this would help break up the open space in parking areas and create more attractive shopping centers.

Other policies would limit commercial buildings to two floors, require some design coordination between adjacent buildings and impose a uniform standard of street lighting in commercial developments. The committee also proposes that commercial rooftops be screened to hide air conditioning units and other rooftop apparatus from view.

The new policies were proposed in response to a building planned for the new Carmel Post Office subdivision. The Curtis-Laskin building was submitted at 45 feet, the maximum allowable height. The advisory committee informally has restricted buildings below that height, creating confusion for applicants who used the written regulations and not informal policies.

The Curtis-Laskin building was rejected by the planning commission when it had been scaled down to 40½ feet. That decision has been appealed to the board of supervisors.

McCulloch discussed all the recommendations with the master plan committee last Thursday. He won support for all points except residential design control. The master plan group felt it might be too much trouble for homeowners.

It did endorse design control for all commercial areas in the Lower Valley, including the Mid-Valley, Valley Hills, Carmel Rancho and Carmel Center developments.

The advisory committee suggestions will be included in the master plan proposal. They also will be forwarded to the planning commission for review.

Valley Master Plan group searching

Place to allow heavy commercial use needed

The Carmel Valley Master Plan Committee is still searching for a place to allow heavy commercial uses in the Valley.

The committee considered and rejected several potential sites when it met last Thursday. But it still wants more land for builders, painters, plumbing contractors and similar businesses that serve Valley residents.

Their discussion was triggered three weeks ago when Stew Clough of Stew's Plumbing approached the group and complained about the difficulty finding a suitable Carmel Valley location for his shop.

Most commercial land is zoned C-1 for retail outlets rather then C-2, where service industries are permitted.

The committee also considered and endorsed the concept of an emergency medical treatment center somewhere in Mid-Valley or the Lower Carmel Valley. The committee members envisioned something similar to the small emergency room maintained by Drs. Paul Tocchet and Richard Viken in the Village.

Planning Commissioner William Peters said some doctors have approached him about the idea, although there are no specific plans for such a center.

He said it might be needed because traffic congestion on Highway 1 could slow doctors trying to drive to Community Hospital, the nearest emergency room from the Lower Valley.

Emergency vehicles such as ambulances usually have little trouble getting through, Peters said.

Forum on prep schools scheduled

Representatives from private high schools in California and Maryland will be the guests Monday, Nov. 6 at a forum sponsored by All Saints' Episcopal Day School in Carmel Valley.

Those sending representatives are:

York School, Monterey; Robert Louis Stevenson School, Pebble Beach; Santa Catalina School, Monterey; Thacher School, Ojai; Midland School, Los Olivos; Cate School, Carpinteria; and Bishop's School, La Jolla.

Phillips Andover Academy, Andover, Md.; Brooks School, North Andover, Md.; Concord Academy, Concord, Md.; Deerfield Academy, Deerfield, Md.; and Tabor Academy, Marion, Md.

The forum starts at 7:15 p.m. Coffee will be served at 7 p.m. The school is four miles east of Highway 1 on Carmel Valley Road.

Those who plan to attend are asked to call 624-9171.

Planned Parenthood speaker

Faye Wattleton, president of the Planned Parenthood Federation of America, will give a speech Sunday night in Carmel. Her topic is "Reproductive Freedom—A Human Right."

The occasion is the annual meeting of the Monterey Peninsula affiliate of Planned Parenthood, a pioneering organization in contraceptive counseling for women. The meeting begins at 7 p.m. at La Playa Hotel in Carmel. A dessert buffet also is planned. Admission is $6.50. Reservations can be obtained from the Monterey office, 373-1691.

Miss Wattleton, a former model, is the youngest president ever elected by the federation. She also is the first woman and first black to be elected. Before her election, she worked in Dayton, Ohio, with Planned Parenthood.

The federation operates 189 affiliates in the United States.

Replaced by Virginia Crawford

Attorney Varga resigns from property owners

Carmel attorney Gary Varga has resigned as a member of the Carmel Valley Property Owners Association (CVPOA) board of directors. He was replaced last week by Virginia Crawford of Carmel Valley.

Varga gave up his board seat after accepting appointment to the Monterey County Planning Commission. He told the CVPOA in a letter that he feared there could be a conflict of interest if he continued to serve on both bodies.

Mrs. Crawford is up for election to the 14-member CVPOA board in January. Nine seats on the board are up for election, including five officers and four at-large board seats. They will be voted on by the 1,018 CVPOA members after the first of the year.

The organization still is seeking a paid coordinator, according to President Douglas Despard. Mary Silliman, who was hired for the $500 per month poast, declined the job to work with Volunteers in Action.

Despard named a board committee to interview three new candidates for the job.

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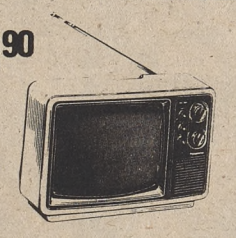

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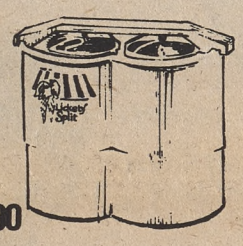

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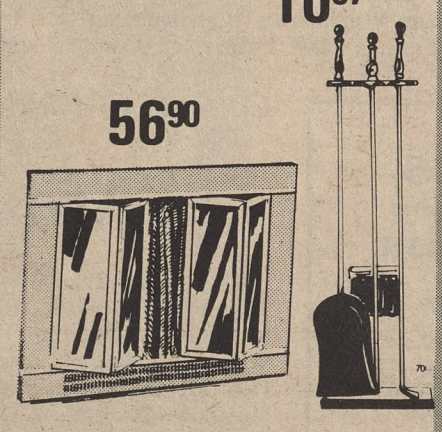

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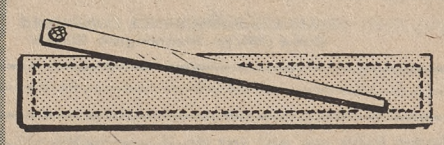

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Student-run radio station

Stevenson students play DJ for academic credits

By BRUCE HOROVITZ

ONE MILE WEST of Robert Louis Stevenson (RLS) School in Pebble Beach, waves pound the rocky bluffs below. Three weeks ago a different type of wave—radio waves— began whirling through the trees around the campus. That is when students, including 10 from Carmel and Carmel Valley, began broadcasting on what could be California's only high school radio station.

When RLS students "catch waves," they don't need their surfboards anymore. Instead, they tune into KSPB-FM (91.5). The 10-watt station reaches most of Carmel. Its motto: "We rock the forest."

Don't be mislead. There is plenty more than hard rock behind the scenes. There is also four years of hard work. And it's getting harder.

"The station comes first. I schedule every minute of every day around it," said Phil Rodriguez, the station's business manager. The 16-year-old junior lives in Carmel Valley. He also manages the school's yearbook, newspaper, literary magazine and drama department. He is now organizing a publicity campaign to distribute the station's T-shirts and bumper stickers.

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KSPB HAS BEEN a long time coming. More than four years ago, students in the school's radio broadcasting class decided that the best way to learn about radio was run their own station.

Then came the delays. It took four years to receive a Federal Communications Commission (FCC) license. It was granted on Sept. 12. The students took to the air 10 days later.

The other delay was the cost. The station has gathered some $12,000 worth of broadcast equipment, according to Hamisch Tyler, a faculty advisor to the station. He is also the chairman of the school's fine arts department.

Much of the equipment was donated. So were some of the not-so essential furnishings, like a refrigerator from one of the DJ's fathers.

"Our goal is smoothness," explained program director Hughes Hall, an 18-year-old senior from San Rafael. "We just want every student to know we're here," added Rodriguez.

The format is about 60 per cent rock and jazz and 40 per cent educational programing, including live coverage of local sporting events.

The "big" game between RLS and Carmel High School was broadcast live. The play-by-play sportscasters were both from Carmel, Jim Stephenson and Tod Kinion. Stephenson, 16, is a junior. Kinion, 17, is a senior. Both also take part in RLS athletics.

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STUDENTS receive class credit for their work at the station. But before any of them can broadcast they first must receive their FCC license. Some 25 RLS students have earned such licenses. That requires broadcast knowledge and familiarity with electric circuitry.

Broadcast hours are keyed around the student listeners. Weekday programing catches students waking up or perhaps driving to school from 6:30 to 8 a.m. Then it signs off until 4 p.m. Broadcasting picks up again from late afternoon, until signoff at 11 p.m.

The station has had its moments.

There was the time when Stanley ran out of records to play. Working with what was available, he put on an old Alvin and the Chipmunks single. A station worker got the hint and came rushing down with more albums.

Then, there was the morning when Hughes forgot to assign a DJ to the 6:30 a.m. show. For 25 minutes the airwaves were empty.

One persistent student phoned in three requests in an hour, but the station had none of them available.

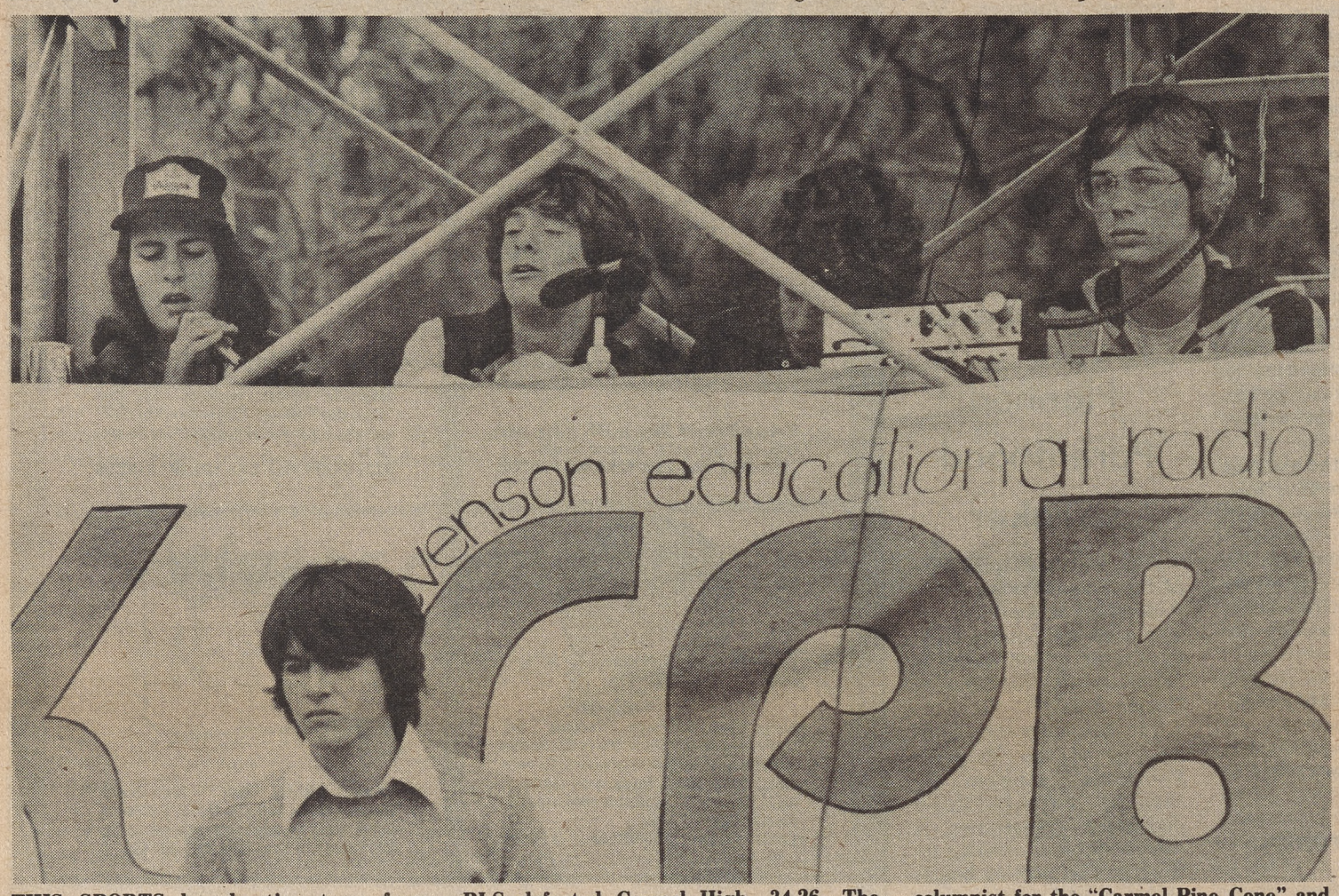
Student DJ's work two-hour shifts. A few admit the extra work could hinder their other classes.

"But we're anxious for Parents Weekend (Oct. 27-29) so our parents can really see all the work we're doing here," said Rodriguez.

The station is student run, although the administration helped set a station policy. DJ's may not eat by the broadcast console. On-air profanity results in permanent suspension from the station. The use of drugs or alcohol while broadcasting is not allowed.

The students are also trying to spark community interest. Friday evening at 8 KSPB will broadcast a taped radio debate between Congressman LeonPanetta and Republican challenger Eric Seastrand.

Hughes said he flips on the radio 100 times daily. "I'm always listening in to see if the right guy is on the air," he said.



THIS SPORTS broadcasting team from KSPB-FM, Robert Louis Stevenson's student-run radio station, brought home a winner last weekend. On its home field, RLS defeated Carmel High, 34-26. The students are (left to right) Todd Kinion and Jim Stephenson, both sportscasters from Carmel; Jay Posner of Carmel, sports columnist for the "Carmel Pine Cone" and Chris Hollern of Bend, Ore., an engineer for KSPB. (Kirk McClelland photo)

Concert at Hidden Valley

Amis Trio performance Friday

The Amis Trio of Los Angeles will perform works by Haydn, Martinu and Weber in a concert Friday, Oct. 27, at Hidden Valley Music Seminars, Ford Road and Carmel Valley Road, Carmel Valley Village. The concert begins at 8 p.m.

Trio members are flutist Lisa Edelstein, cellist Carolisa Lindberg and pianist William Tracy. The three musicians, who met while all were attending California State University in Northridge, have performed throughout Southern California during the past six years. This will be their first concert in Northern California.

They will play Haydn's *Trio in D for Flute, Cello and Piano* and *Trio in G for Flute, Cello and Piano;* Carl Maria von Weber's *Trio, Op. 63, for Flute, Cello and Piano* and Bohuslav Martinu's *Trio for Flute, Cello and Piano.*

Miss Edelstein, who has studied with Jean-Pierre Rampal and James Galway, plays a rose-gold Cooper flute on loan to her from Galway. She has been heard in recitals and as soloist throughout the Los Angeles area and is also a member of the chamber group I Cantori.

Miss Lindberg studied with Gabor Rejto and with the Tchaikovsky Competition award-winning cellist Nathaniel Rose; she also spent two summers at the Music Academy of the West in Santa Barbara. She has been a member of the Young Musician's Foundation Debut Orchestra, the Santa Barbara Symphony and the San Fernando Valley Symphony.

Tracy studied with Robert Turner, Daniel Pollack and Charles Fierro. He was accompanist for the Los Angeles Master Chorale last year and appeared as soloist in *Les Noces* by Stravinsky with the Chorale.

He was one of 100 musicians selected this year from throughout the world to participate in the Kennedy Center Rockefeller Foundation's International Competition for Excellence in the Performance of American Music.

Tickets, at $4, will be available at the door.

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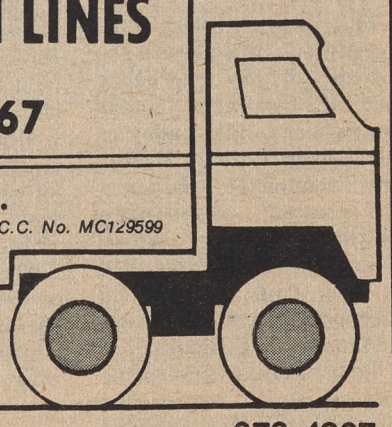

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Capital analyst's report about: Heritage City

The text of attorney John G. Tennyson's analysis of the "Heritage City" plan proposed by Carmel Mayor Gunnar Norberg was delivered to the state Assembly Committee on Local Government last week. Tennyson is the consultant to the committee. This is the text of his report:

I. INTRODUCTION

Carmel is no doubt a unique and beautiful area, unlike any other in California. Like most areas of the state, however, the city of Carmel faces a number of problems of the modern age brought about by the use of the automobile and expanding commercial and residential development.

Carmel is unique because it is a city within a forest by the sea, a city of small shops and exclusive hostels renown for its quaintness and mild climate. The mayor of the city of Carmel, Gunnar Norberg, believes that existing city powers are inadequate, however, to protect Carmel from the so-called "progress" of the modern age, which he views as threatening the essential character of the town and its environs.

In 1971, Mr. Norberg proposed his "Heritage City" plan for the Carmel area. Starting from the premise that a city under present state law does not have sufficient power to prevent the construction of state freeways through its jurisdiction, freeze development within the city, prevent the establishment of chain retail stores, prevent development adjacent to the present boundaries of the city, and establish a more qualified and responsible city council, among other things, Mr. Norberg envisioned a third kind of city for Carmel, the "Heritage City."

Briefly, Mr. Norberg proposes various amendments to state statutes to broaden the power of the city of Carmel. First of all, the "Heritage City" concept would apply to Carmel alone, and new and broader boundaries of the city would be defined statutorily. The city would have the power to freeze all development, both residential and commercial, down-zone existing uses of property, prevent chain enterprises from establishing business locations within the city, and absorb special districts which are now either adjacent to or overlap boundaries of the city of Carmel. Additionally, the city would have the power to establish its own air pollution standards, stiffer than those now imposed by federal, state, district, or county agencies, and could prevent the state from constructing highways or freeways through its jurisdiction without the consent of the city council. The council would have the power to determine the "highest and best use" of property within the city for purposes of property tax assessment. To carry out the aforementioned powers, the Norberg plan envisions a five-member city council initially appointed by the governor and later elected on a rotating basis, with residency requirements for membership varying from one to 20 years.

Ocean Avenue typifies the urban scene 'Heritage City' is designed to prevent

II. ANALYSIS

There are 417 cities in the state of California which vary tremendously in size, population, range and level of services provided. Cities are municipal organizations established by the residents therein and responsible for the provision of services as required by state law and as desired by the residents of the city.

There are two types of cities in California, general law and charter cities. All cities are subject to the general laws of the state which specify the duties, functions, and authorities of cities and their officers. A charter city (charters are adopted by a vote of the city's residents) is authorized by the state Constitution to regulate areas of "municipal affairs." In such areas, charter provisions prevail over general laws. However, in areas of "statewide concern," charter cities, like general law cities, may not adopt ordinances which conflict with state law, which are prohibited by state law, or which have been pre-empted by state law, such as traffic regulations.

It would appear that many of the powers proposed for the "Heritage City" would exceed the existing authority of general law and charter cities.

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SINCE THE "Heritage City" plan is based on the premise that existing law does not afford cities sufficient power to regulate their own destinies, the proposal will be analyzed in terms of existing law.

B. **Land Use**

The great bulk of the Norberg proposal for a "Heritage City" is couched in terms of the city's power to regulate the use of land by private owners, whether individual or corporate, homeowners or developers, and thus to prevent a change in the present environment of the city of Carmel and its surrounding area.

Specifically, Mr. Norberg believes Carmel should have not just the power to slow down development, but to stop it "cold." He proposes that the city have the power to establish "instant controls" on the size of residential and business structures, and business uses. Uses which are already established in unincorporated areas to be annexed by the city could be precluded. Existing zoning could be reduced within three years after it had been established but unused. The city would have the power to prohibit any development, "including those from outside the city with plans which could seriously alter its character." This would include a freeze on any residential tract development, during an initial "stand-still" period.

As derived from statute or its own traditional police power, local government in California has a number of tools

Continued on next page

Carmel mayor optimistic despite analyst's findings

Continued from page 3

towards myopia. They cite all sorts of laws and cases, but if the Constitution is 100 years out of date, the state Legislature had better get busy and start changing it," Norberg declared.

A "constitutional application" of existing powers could sufficiently check unwanted growth in Carmel, Tennyson concluded. These powers are provided through state laws, the city planning commission, three state programs that regulate subdivisions, coastal areas and environmental quality, and local powers to downzone business areas to residential districts, Tennyson said in his report.

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ALTHOUGH PRESERVATION of existing values is desirable, it is unrealistic to believe that some changes won't occur. Change and development cannot be stopped cold as there is nothing so certain as change itself. But Carmel city fathers have the power to ensure that those changes are positive and in keeping with the overall character of the community," Tennyson concluded.

Norberg said he would be willing to rework portions of the proposal, but he would not specify which parts. In his report, Tennyson was especially critical of portions of the proposal that appeared to discriminate against chain businesses and low-income people. The Heritage City proposal would prohibit chain enterprises from opening in Carmel. Although the proposal speaks to increased housing, it does not provide for low-income housing.

"If a zoning ordinance is so restrictive that it denies the availability of low- and medium-cost housing or housing to members of minority groups, it may be struck down as a violation of the equal protection clause," Tennyson said.

The chain business ban would run "afoul" of various constitutional provisions, Tennyson said. Among those listed in the report were: equal protection under the law, fair commerce laws and anti-trust laws.

The proposal to grant Carmel jurisdiction over highways that run through it "raises the level of a city to that of a sovereign state," the report said. "It is unlikely that the legislature would be willing to authorize a city to have powers in these areas," Tennyson said.

Clauses in the Norberg proposal would require City Council candidates to fulfill residency requirements with a minimum of one to 20 years. "(These) are clearly unconstitutional under a stream of cases which have been handed down in recent years by both the U.S. Supreme Court and the California courts," the report said.

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THE HUGE LAND annexation under the proposal would deprive people of their right to vote for annexation, Tennyson also said.

"It is questionable whether the legislature would be willing to ignore the long history of sometimes bitter legislative battles over this issue by authorizing Carmel to absorb various unincorporated portions of Monterey County. . . without giving people the opportunity to vote," the report said.

Despite its unfavorable findings, Norberg called the report "an important step along the way."

Continued from preceding page

at its disposal to plan for and regulate land use.

1. **Statute**

The Legislature has enacted through the years, a number of laws which both require and permit cities and counties to plan for and consider the environmental effects of land development.

Planning

State law mandates the establishment of a planning commission or planning agency in each city, as well as the development and implementation of a general plan and review of the environmental effects of development projects requiring discretionary approval of the city.

Land use planning at the city level is twofold:

• **Long-range planning** — The city planning commission or agency is responsible to the city council for developing, implementing and periodically reviewing a general plan for land uses within the city, considering and recommending action on environmental impact reports on development projects, and reviewing capital improvement programs. The commission recommends the adoption of zoning for different areas within the city consistent with the general plan.

• **Short-range planning** — The commission or a separate zoning board reviews applications for various zoning adjustments, such as variances or use permits. The commission and its administrative arm—the planning department—is also responsible for formulating city building code standards and issuing building permits. A building inspector operates at the behest of the commission to check building plans and make on-site inspection to ensure code compliance. The planning department may also administer the Subdivision Map Act.

The Subdivision Map Act

The purpose of the map act is to give local government the power to regulate the division of land in order to ensure that development is carried out in an orderly manner. Under the act, local government may require a subdivider to provide on-site and off-site improvements, such as grading, sewerage facilities, streets and right-of-ways and to make provisions for public utilities for the benefit of the development as well as the community. The act applies to any division of land for the purpose of sale, lease or financing. Approval is often contingent upon performance bonds. In addition, the local agency has the power under the map act to exact fees or require the dedication of land for such things as school facilities, park and recreation facilities, and underground water reclamation facilities to benefit the area impacted by the development.

The California Environmental Quality Act (CEQA)

The California Environmental Quality Act (CEQA) mandates consideration of the environmental impact of private projects requiring governmental approval. CEQA works in tandem with the Subdivision Map Act and gives local government the authority to regulate the physical design and environmental impact of new subdivisions.

An EIR is required whenever a project may have a significant effect on the environment. The Subdivision Map Act requires disapproval of a tentative map if the design of the subdivision or proposed improvements are likely to cause substantial environmental damage. Therefore, the use of EIRs is important to show whether it is likely that the subdivision would harm the environment. If so, and the adverse impacts cannot be mitigated, the subdivision must be disapproved.

The California Coastal Act

The entire California coastal zone has been identified as a resource of statewide significance by the Legislature (SB 1277—1976) for which local government must develop special land use plans (local coastal plans—LCPs). Each of the 15 counties and 53 cities along the coast are required to prepare an LCP by Jan. 1, 1980, for their portion of the coastal zone. This LCP will become the local governments' land use plans, which must meet the requirements of the coastal act at the local level. When completed and approved by the local governing body, the LCP must be submitted to the regional and state coastal commissions for certification. Once the LCP is certified, local government will resume full permit authority for any development within the coastal zone.

Thus, state law has provided local government with considerable power to plan land uses, to regulate the division of land, and development thereon, to monitor and regulate the environmental effects of a development and to levy development fees in certain instances.

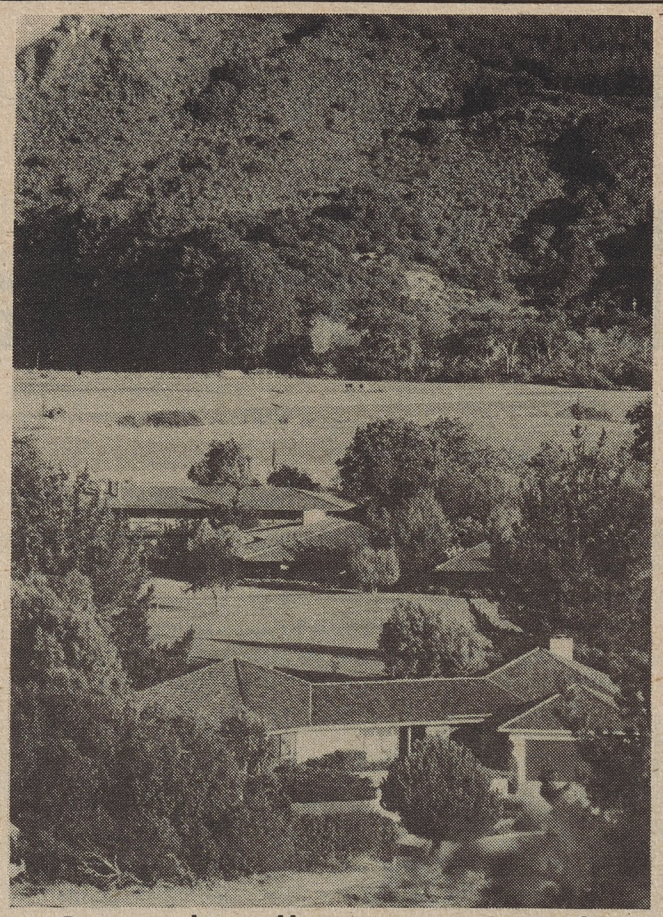
2. Local Police Power

Despite the various statutory devices which a municipality utilizes to control land, its most essential tool is still the local power to zone land uses.

Zoning is the mechanism through which a comprehensive or master plan of a particular community is implemented to ensure coordinated development according to the plan. Uses which may be zoned, among others, include single family residential, commercial, light industrial, agricultural, forest, open space, and transportation.

The building permit is another devise for control of the quality of development used in league with zoning. The permit is the mechanism through which the local building code is implemented and may be used to require on-site improvements, as well as to regulate the design of the building itself and materials used therein. Fees for dedication of land for parks, recreation, or school facilities impacted through the construction of buildings may also be required as a condition of approval of a building permit.

In general, local governments have considerable latitude in enacting and administering zoning ordinances to restrict uncontrolled growth, solve traffic problems, keep rental costs at a reasonable level, and make their communities attractive to residents. The extent to which zoning may be



Carmel Valley: Annexed?

used to regulate desirable and undesirable land uses, and prevent building development, however, is not simply defined, but it is interpreted by the courts on a case-by-case basis. Since zoning is the essence of the local power to regulate land use; case law must be given primary consideration. Mr. Norberg's proposed land use powers for the "Heritage City" must, therefore, be evaluated in light of these court decisions.

As it developed in the early part of the 20th century, zoning was more or less indistinguishable from the power to abate a public nuisance. California enacted its first statewide zoning law in 1917 and the validity of zoning as a legitimate exercise of local police power to divide a community into zones in order to regulate land use was upheld by the U.S. Supreme Court in 1926.

"**Euclid v. Ambler Realty Company,**" 272 U.S. 365 (1926).

Since zoning is a regulation of private land and since compensation to the owner will not accompany a denial of a permit, it is necessary for zoning laws to provide a constitutional safety valve whereby landowners are entitled to due process, that is, a hearing to determine interests of the property owner against those of the community at large. The presumption is that the zoning ordinance is valid unless it is so restrictive as to be confiscatory. The courts usually use the test of reasonableness in determining the validity of a zoning ordinance.

These factors may include:

1. The uses and zoning of nearby property;

2. The diminishment of property values by the proposal restrictions;

3. The benefits sought to be achieved by a particular zoning or denial of zoning;

4. The relative public gain versus the hardship to the landowner;

5. The suitability of the property for zoned uses. *Euclid v. Ambler Realty Co.*, supra; *Nectow v. City of Cambridge*, 227 U.S. 183 (1928). A zoning ordinance which does not meet the "reasonableness test" is rare.

By the same token, zoning cannot be used to freeze all land uses, or what is otherwise known as "exclusionary" zoning. To some extent, all zoning is exclusionary. The courts have become quite sensitive to these issues, and an attempt to freeze land use per se may constitute a taking without just compensation, unless temporary or part of a phased-in growth plan. Additionally, exclusionary zoning may also be tantamount to racial discrimination if it denies certain classes of people the opportunity of living in the community. Thus, if a zoning ordinance or building moratorium is so restrictive that it denies the availability of low - and medium-cost housing, or housing to members of minority groups, it may be struck down as a violation of the equal protection clause, the right to travel or the freedom of association. *Crow v. Brown*, 457 F 2d 788 (1972); *Kennedy Park Homes Association Inc. v. City of Lackawanna*, 436 F. 2d 108 (1970); *Appeal of Kit Mar Builders Inc.*, 439 Pa 466, 268 A2d 765 (1970).

With regard to exclusionary zoning, however, unless there is an element of racial discrimination in the ordinance, the burden is upon the challenger to show that the exclusion does not bear any "rational relationship to a legitimate state interest."

Hence, court decisions have upheld a number of local ordinances which restrict land uses. In the case of *Belle Terre v. Boraas*, 416 US 1 (1974), the court rejected numerous challenges to a village ordinance restricting land use to one family dwellings, including lodging houses, boarding houses, and multiple dwelling houses. By prohibiting the construction of a conversion of buildings to other than single-family dwellings, the village ensured that it would never grow much larger than the 700 population then living in its 220 residences. The court found that such restrictions were within the legitimate purview of local police power to protect the public welfare, because the dwellings which were banned presented urban problems such as increased traffic and parked cars and noise which come with increased crowds.

In the case of *Ybarra v. Los Altos Hills*, 503 Fed 2d 250 (1974), the 9th Circuit Court reviewed a zoning ordinance providing that a residential lot shall not contain less than one acre and that no lot shall be occupied by more than one primary dwelling unit. The ordinance, as a practical matter, prevented poor people from livng in Los Altos Hills and restricted density and population of the town. Nevertheless, the court found that the ordinance was rationally related to a legitimate governmental interest, that is, the preservation of the town's rural environment, and thus, did not violate the 14th Amendment's equal protection clause.

Finally, the U.S. Court of Appeals for the 9th Circuit Court in the case of the *Construction Industry Association of Sonoma County v. the City of Petaluma*, 375 F. Supp. 574 (1975), found that in a case where the city restricted development to 500 residential units per year that the legitimate state interest of protecting the public welfare is sufficiently broad to uphold Petaluma's desire to preserve the small town character and low density of population. The plan did not call for a complete freeze on all building and thus was not a violation of the right to travel or the interstate commerce clause.

Hence, as judicially defined, it would appear that a municipality can respond to the problems of urban and suburban growth through restrictive zoning, as long as such zoning is reasonable and does not infringe upon constitutional rights without justification, accommodates a community's need for low and moderate income housing, and provides for some kind of controlled or phased-in growth, rather than an over-all population ceiling.

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THE NEXT QUESTION is whether a local agency can down-zone property previously zoned for other more intensive uses. Under existing law, the answer is clearly in the affirmative.

In fact, a local agency may rezone or downzone the property, even after it has granted the subdivision map for development based upon the previous zoning. *HFH Ltd. and Von's Grocery Company v. the Superior Court of Los Angeles County*, 15 Cal Rep. 3d 508 (1975).

Back in 1926, the U.S. Supreme Court firmly rejected the notion that diminution of the value of previously unrestricted land by the imposition of zoning is an impermissable taking. *Euclid v. Ambler Realty*, Supra. Incidental damages to property resulting from governmental activities or laws passed for the promotion of the public welfare are not considered a taking of property, for which compensation must be made. *Miller v. Board of Public Works*, 195 Cal 477 (1975): "...Landowners have no vested right in existing or anticipated zoning ordinances. A purchaser of land merely acquires a right to continue the use instituted before the enactment of a more restrictive zoning. Public entities are not found to reimburse individuals for losses due to changes in zoning, for within the limits of the police power 'some compensated hardships must be borne by individuals as the price of living in a modern and enlightened and progressive community.'" *Metro Realty v. County of El Dorado*, (1963), 222 Cal App 2d 508, as cited in *Morse v. County of San Luis Obispo*, 247 Cal App 2d 600 (1967).

In the Von's Market case, agricultural land purchased by Von's Market was subsequently rezoned commercial. Von's submitted a parcel map and the city approved the parcel map on which Von's intended to subdivide the property for commercial purposes. However, subsequent to the approval of the map, five years elapsed, during which time the land sat idle. The city then placed a moratorium upon a more intensive use of the property by temporarily zoning it agricultural. A subsequent general plan change rezoned the Von's property as "low density residential." Von's attempted to have the land rezoned commercial but failed to do so and brought a cause of action against the city claiming the taking of its property without just compensation, amounting to a diminution of value because of the downzoning.

The court concluded that Von's did not have a cause of action because it did not have a vested right in the previous zoning classification, and an inverse condemnation or taking action could not lie in a case where the land was not actually taken by the governmental entity, but only diminution in value had occurred.

Thus, it is quite clear that local government under existing statute and case law has sufficient authority to downzone property or rezone property for less intensive uses, even where the owner already received permission from the city to develop but sat on his rights, for whatever reasons, and has not proceeded with the development. A similar case exists with the granting of a building permit, which is normally good for only a limited period of time, such as 90 or 180 days. It would appear a local jurisdiction does not need additional powers to down zone lands within its jurisdiction.

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DESPITE WHAT is known in legal terms as the nonconforming use rule, a city does have the power to wipe out certain land uses once they have been granted through the subsequent establishment of a certain class of zoning.

The nonconforming use rule provides that once property is developed, the development need not conform to subsequent changes in land use controls, although any new development of the same type would have to conform. If, for example, an office building is erected in an area subsequently zoned for single family use, there is a right to retain the building in use as an office. However, if only the use is nonconforming, and the building could be utilized as a single-family house, as well as an office, the use would not be protected. *City of Los Angeles v. Gage*, 127 Cal App 2d 442 (1954).

A nonconforming use can be phased out of existence over the economic life of the development and often cannot be rebuilt if it is destroyed, cannot be expanded, and the right can be lost if abandoned. Additionally, the nonconforming

use can be immediately terminated if it is so damaging to the public health and safety that such harm cannot be mitigated. *Livingston Rock and Gravel Company v. Los Angeles*, 53 Cal. 2d 121 (1954).

In this latter case, however, there must be a legitimate interest involved in order to use the police power in this fashion. Objections, such as convenience or esthetics, are not sufficient to terminate a nonconforming use. A developer confronted with a regulation requireing him to immediately disband the nonconforming use could expect the courts to invalidate the regulation as a taking without due process of just compensation, and as an unreasonable exercise of local police power. *National Advertising Company v. Monterey*, 1 Cal. 3d 875 (1970).

The rule with regard to eliminating previously authorized land uses on undeveloped property is substantially different from the nonconforming use doctrine. Existing California law provides that in order to vest a right to complete construction, the developer must have obtained a building permit in good faith, engaged in substantial construction, and incurred substantial liabilities pursuant to that permit. *Avco Community Developer Inc. v. Southcoast Regional Coastal Commission*, 17 Cal. 3d 785 (1976).

Thus, it would appear to the extent that existing buildings could be used for residential or other purposes, certain business uses could be phased out unless the building and the use are inseparable. However, development for which a subdivision map has been granted, but for which a building permit has not been issued, and for which substantial development costs have not been incurred by the developer, could be disallowed.

In summary, state planning laws, the Subdivision Map Act, the California Environmental Quality Act, the California Coastal Act, and a city's own inherent police powers to zone and issue permits for various land uses and development projects give local government in California an abundant array of tools with which to regulate the private use of land. Zoning and other land use "tools" are subject to the continuing supervision of the courts, however, and for the Legislature to empower the city of Carmel with additional land use powers would not immunize the city or the enabling statute from court scrutiny.

The city of Carmel could under existing law, restrict the use of land through zoning, as long as those restrictions are reasonable, as interpreted by the courts. That is, the city may restrict growth through zoning by establishing standards for minimum square footage, the number of persons per a certain kind of residence, and the like, as long as such zoning does not infringe upon constitutional rights without justification, makes some provision for the low and moderate income housing needs of the city, and does not put flat ceilings on city population.

The city of Carmel may downzone property to uses less intensive than those previously established for such property and for property annexed by the city which was previously located in the unincorporated area. Certain business uses could be phased out, but the existing nonconforming use of a building not capable of being accommodated to the conforming uses of the new zoning could not be eliminated unless reasonably necessary to protect the public health and safety. The city also could not eliminate a business use arbitrarily or for solely esthetic reasons.

Carmel could also limit the size of residential and business structures under existing law, although the power to freeze or prevent any and all development is limited by the courts.

Mr. Norberg's proposals for land use regulatory powers are not specific. When he speaks of "instant controls" on business uses and structures, is he speaking of controls without notice and hearing and other due process requirements? When he speaks of revoking business uses previously permitted by the county, does he mean revoking uses even where the property is so built upon that it could not be utilized at all under city-zoned uses? When he writes about freezing land development or stopping it "cold," does he mean in perpetuity, a limited moratorium, or a phased-growth plan?

If we are to take the most arbitrary interpretation of Mr. Norberg's proposals, many of them would be clearly unconstitutional under present court rulings. It is doubtful that the Legislature would deem it wise or appropriate to authorize city powers which would so clearly be overturned by the courts. If we are speaking of downzoning uses, phased-in developments, due process notice and hearing requirements and other court-sanctioned local powers, it would appear the city already has most of the powers Mr. Norberg proposes.

B. Exclusion of "Chain" Business Enterprise from the City

Mr. Norberg proposes that the city be empowered to prevent "chain" enterprises from establishing business locations within the city.

Whether a municipality has the power to discriminate between locally owned and nationally owned "chain" businesses and permit one but not the other within its jurisdiction, is a question which goes to the essence of municipal police power. Again, it is a question for the courts.

The most common challenge to a local ordinance is that it does not constitute a proper exercise of police power and is violative of one or more federal or state constitutional provisions. In this regard, a court of law would have to determine:

1. Whether preservation of local business interests or their protection from competition by chain enterprises is an object for which the police power of the city may be properly invoked;

2. Whether the means, enacting an ordinance preventing chain enterprises from establishing business locations within the city, bears a substantial relationship to the desired objective of preserving the character of the city;

3. Whether the ordinance unduly burdens interstate commerce;

4. Whether a preference for local business over "chain" enterprise constitutes an improper classification so that there is a denial of the equal protection of the laws;

5. Whether an ordinance prohibiting chain enterprises from competing with local businesses for the same market is anti-competitive and in violation of state and federal anti-trust laws.

A local government may properly exercise its police power for many objectives, including the furtherance of the public health, safety, welfare and morals. It must not, however, be unconstitutional on its face, as it would if there was an element of racial discrimination in the object of the ordinance. The ordinance must, furthermore, be reasonable, but the plaintiff has the burden of demonstrating that it is unreasonable. If the ordinance attempts to impose personal morality upon the public domain, is vague or speculative in objective, it may be unreasonable. If the ordinance interferes with private activities pursued on private property by private means without an adverse impact on the public sector, the ordinance may be more unreasonable than if it is designed to control private activities involving the public health, safety, morality or general welfare, or those involving public property. *Tarver v. City Commission*, 435 P. 2d 531 (1967).

Intertwined with the determination of whether the matter is a proper subject of regulation is the question of whether the means chosen to regulate are reasonable, whether they are substantially related to the objective, and whether there are better alternatives to achieve that stated objective. *Barrick Realty Inc. v. City of Gary*, 354 F. Supp. 126 (1973). Is the prevention of chain businesses within city limits rationally related to the protection of local business interests? Could the protection of local business be better advanced by more stringent zoning or building permit requirements for new business construction or some other means not overtly discriminatory?

The presumption of reasonableness encompasses the question of whether the ordinance denies certain constitutional rights, both state and federal. If there is an undue burden which impedes a free flow of interstate commerce (*Breard v. City of Alexandria*, 341 U.S. 622 (1951)), or where the enactment of an ordinance discriminates against one class in favor of another, denying equal protection of the laws (*Police Department of Chicago v. Mosley*, 408 U.S. 92 (1972)), the ordinance may very well be held unconstitutional.

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LASTLY, THERE is the question of whether city sanction of a virtual monopoly by local business constitutes an anti-competitive practice in violation of state and federal anti-trust laws.

A recent Supreme Court decision indicates that where a city grants an exclusive franchise to a private entity without bidding to provide a public or utility service, such as garbage collection, without express authority from the state, it is in violation of the Sherman and Clayton Anti-trust acts. *City of Lafayette v. Louisiana Power and Light Co.*, 55 Law Ed 2d 364 (1978). It would not take much to analogize this case to the licensing of local business, but the refusal to license out-of-city or "chain" businesses, as a similar monopolistic franchise.

Hence, it would appear that the proposal to keep chain businesses out of the city of Carmel would run afoul of various constitutional provisions, including equal protection of the laws, the commerce clause, and would, perhaps, be deemed in violation of anti-trust laws.

C. The "Highest and Best" Use of Property

One element of the "Heritage City" proposal is to have the City Council sit as a board of equalization to determine the "highest and best" use of property within the city for purposes of property tax assessment. Mr. Norberg contends that the city of Carmel is assessed on the "same unfeeling, bloodless, and inhuman scale" as other properties throughout the state, that is, the "highest and best use."

Northern Carmel Beach

The California Constitution requires that land be assessed at its fair market value. Cal. Const, Art. XIII, 1 (a). Statute requires that market value be determined by the sale of similar properties within an area of close proximity and near in time to the lien date. However, the key to assessment is the zoning of, and use restrictions on, the property. Thus, where a single family residence is located, for example, within an area zoned commercial, and the commercial use of the property has greater value than its residential use, the residence will be assessed on its "higher" value.

Mr. Norberg contends that the city fathers would be much more "merciful" in determining appeals on property tax assessments, especially for residential properties within the city of Carmel, than the county board which now functions in this capacity. Since the quality "merciful" is a subjective value, it is difficult to analyze. To the extent that city fathers live in Carmel and have more sympathy with their neighbors, perhaps they would be more "merciful." However, in order to uphold the law, they would be required to find some basis upon which the assessment was in error. Since existing law requires that assessment be based on market value, it is difficult to see how the city fathers could be any more "merciful" than the county board of equalization and still uphold the law.

In order to change the law to some other valuation than market value, the California Constitution would have to be amended. Moreover, since land values are assessed in consideration of land restrictions and zoning, it would appear tht city fathers could control assessed value to some extent by exercising the local police power to zone. Local government clearly has the authority, as mentioned earlier, to downzone existing land uses.

Short of a constitutional amendment, the effect of the Williamson Open Space Act, the California Coastal Act, and Proposition 13 (the Jarvis-Gann Initiative) on property assessments must also be taken into consideration as a means to reduce the property tax burden. All of these measures, to a greater or lesser extent, help to impede attempts to develop agricultural land.

The Williamson Act permits counties to enter into contracts with owners of certain minimum acreages to preserve the land in its agricultural status in return for a reduced assessment based on actual use, rather than market value. Not all counties have an "open space" program, however, and many owners fear being "locked in" for the minimum time period required by the contract, which would not permit them to sell the land for any other use. Nevertheless, where implemented, the Williamson Act has thwarted pressures to develop such land.

The Coastal Act of 1976, requires local governments along the coast to develop local coastal plans which, among other things, will require preservation of existing environmentally sensitive and important lands along the coast and make development on those lands more difficult or impossible by ultimately requiring a change in zoning where necessary.

Presently, developers seeking to build on such coastal lands must receive a permit from the regional Coastal Commission, as well as the state Coastal Commission, if the regional commission's approval is appealed. As such, development along the coast has been substantially slowed since the approval of the coastal initiative by the people in 1972. The Coastal Act will supercede the initiative when fully implemented, and the development by the Act is covered in an earlier part of this report.

The Jarvis-Gann Initiative limits property taxation to 1 per cent of market value. This means a reduction in property taxes for most landowners. In addition, assessments for properties not sold since March 1, 1975, will be made as of that date. Hence, Prop. 13, by reducing property taxation, will lessen the pressure on property owners, and particularly owners of agricultural lands who heretofore faced the prospect of being "taxed out" of their property, to sell.

Lastly, in the last two legislative sessions, bills have been introduced to impose a "freeze" on prime agricultural land from the state level or by requiring local governments to designate the preservation of such farm lands in their general plans. While unsuccessful to date, the prospect for passage of such legislation in the near future is good, and if enacted, agricultural lands in and around the Carmel area which are designated prime (based on soil content and past use) could not be developed.

In summary, high property taxes and assessment practices have tended to spur development in the past. However, market value is determined, in the final analysis, on permitted land uses as zoned. The city council has the power to zone and rezone. Moreover, legislation and ballot initiatives over the past dozen or so years have now started to impede development of agricultural lands.

D. Absorption of Special Districts by the City

Mr. Norberg envisions a statutory definition of the boundaries of the city of Carmel, which would encompass a broad area of new unincorporated territory north, south and east of the present city boundaries. He cites the "fragmentation" of local government as giving rise to the need for consolidation of special purpose districts within the city. Additionally, Mr. Norberg opines that existing annexation laws are inadequate to allow the city to annex adjacent areas in a logical fashion in order to provide the kind of consolidation of local services needed.

The District Reorganization Act of 1965 established a procedure whereby a district might be taken over and operated by a city if all, or most of its territory was included within city boundaries. If 70 per cent of the district's territory is included within city boundaries and

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70 per cent of the district's registered voters reside within the area of the district contained within the city, the residents of the city itself can initiate proceedings to vote on whether the city council should become the ex officio governing body of the district. If successful, the district becomes a "subsidiary district" of the city. Alternatively, territory annexed by a city can be detached from a district, if approved by voters of both the city and territory to be detached.

State law provides also the procedures for annexation of new territory by cities. The Municipal Organization Act (MORGA) of 1977 liberalized the procedures for city annexation by permitting annexation to be ordered without an election unless 25 per cent of the landowner's owning at least 25 per cent of the assessed value of land within the territory to be annexed protest. Basically, however, the annexation laws on the books amount to a compromise between a city's desire to annex adjacent territory which puts additional cost pressures upon it, and the landowner's opportunity to determine by vote whether to remain in the unincorporated area to be annexed to the city.

If Mr. Norberg would have the state Legislature statutorily define the new boundaries of the city of Carmel, the city would presumably be able to take over special districts now serving the areas to be included within the city as "subsidiary" districts.

But Mr. Norberg's proposal would deny the traditional statutory right of the people in unincorporated areas to vote on the issue of annexation. While one might argue that extending democratic principles so as to require the assent of the voters to any proposed inhabited annexation impedes the ability of cities to annex territory and provide city services to a logically organized geographical area, the major issue which has revolved around changes in state annexation laws throughout the years has been self-determination. It is questionable whether the Legislature would be willing to ignore the long history of sometimes bitter legislative battles over this issue by authorizing the city of Carmel to absorb various unincorporated portions of Monterey County by statutorily defining city boundaries, without giving the people in those unincorporated areas the opportunity to vote.

In summary, special districts which serve areas later annexed by a city can be taken over as subsidiary districts by a city, or territory so annexed can be detached from the district upon a vote of the effected residents. Moreover, the annexation of unincorporated territory by a city is also subject to voter approval. It is unlikelythat the Legislature would abrogate voter approval by statutorily redefining the boundaries of the city of Carmel.

E. State Freeway and Highway Routing

It is proposed that the Streets and Highways Code be amended to prohibit the routing and construction of state freeways or highways within the bounds of the "Heritage City," unless specifically approved by the city council.

The determination of routes for state highways and freeways has been delegated by the Legislature to the California Transportation Commission, formerly known as the California Highway Commission. The Streets and Highways Code and the California Administrative Code both lay out an elaborate procedure for the proposal and approval of highway and freeway routes. In general, statute requires a series of public meetings, at which local government agencies evaluate and recommend various routes in conformity with their general or master plans.

Specifically, whenever consideration of the adoption of a freeway or highway route is before the California Transportation Commission, the commission must notify effected local government agencies of the initiation of studies with regard to various alternative freeway or highway routes. Prior to recommending the adoption of a particular route to the transportation commission, a local planning commission or the legislative body of the city or county must conduct a public hearing on the subject. The commission itself must then hold public hearings to review and take testimony on studied alternatives and provide sketches or models to show how the design of these alternate routes will affect the appearance of a local community. The commission is also required to seek the input of the Office of Planning and Research with regard to analysis of socio-economic factors involved with each alternate route.

The director of transportation is then required to transmit recommendations of the Office of Planning and Research, the state highway engineer and effected local agencies to the California Transportation Commission. In selecting any state highway or freeway route, if requested by the local government, an estimate must be made on the effect of the selection a particular route would have upon "community values."

In making a determination as to a specific freeway location, the commission should consider, from the standpoint of overall public interest, recommendations developed by any local agency based upon its official master plan or other plans dealing with highway and transportation facilities as have been developed by the local agency. Upon the adoption of a particular freeway or highway route, a local agency may recommend minor modifications to that route, and such modifications may be adopted at the discretion of the commission. A local agency can request the California Transportation Commission to reopen route studies and the commission may reopen such studies if it determines there are feasible alternatives to adopted routing.

It is apparent that opportunity for input of local communities and local agencies is much greater now than it was before changes in both the Streets and Highways Code and route determination procedures of the Commission were made in 1974. However, a municipality does not have the power to veto a state highway or freeway proposal, and final determination as to specific routes is determined by the Commission's seven members. The members are appointed by the governor from different areas of the state and they are presumably attuned to the interests of their respective communities as well as the interests of the state as a whole.

The basic policy question here is whether a municipality should be given power equivalent to that of the sovereign state, power to deal with the state as an equal, rather than a subordinate from which it derives its power. Presumably, the state takes into consideration local interests in determining freeway routing and balances those interests against state needs for intra-state commerce. Often, it becomes a matter of local esthetics versus the economic, health and safety realities of the modern age. Thus, it becomes not so much a matter of stopping freeways in their tracks, but finding more reasonable, more environmentally sound, and more accommodating routes for such freeways to local communities.

As a practical matter, however, with the present emphasis on energy efficiency and mass transit, and under the policy of the present administration, state highway and freeway construction has been limited mainly to repair, maintenance, and improvement of existing freeways and highways, or fillging the gaps in some uncompleted projects. Whether the Legislature is willing to give more power to local communities to stop freeways, rather than merely suggest alternative routes, is a political question. Whether such a change would be "good" transportation policy is not a subject within the purview of this committee or its staff, but would better be directed to the Assembly Transportation Committee.

F. Pollution Control

Mr. Norberg proposes to permit the "Heritage City" to adopt pollution controls stiffer than those imposed by the state, or any county or regional agency. This proposal is sufficiently general to leave some doubt as to what kind of pollution, and what kind of powers, the mayor is concerned with. Since he mentions the pervasive smog problem in Los Angeles, presumably Mr. Norberg is mainly concerned with air pollution.

California has taken a primary lead in air pollution control. The Legislature has declared that a regional approach to air pollution must be encouraged, and to that end has divided the state into air basins. Local and regional authorities have the primary responsibility to control air pollution from all sources other than vehicular.

In general, local and regional authorities may establish stricter standards than those set by law or by the state for pollution from stationary sources, except for agricultural burning, non-agricultural burning, and sandblasting. The control of vehicular sources of pollution is regulated by the state Air Resources Board. Additionally, any city or county, which is within or part of an air pollution control district, may adopt an ordinance with respect to air pollution control which is stricter than the rules and regulations adopted by the district board if they are not in conflict therewith. In most cases, the county is designated as the pollution control district, except in larger metropolitan areas such as Los Angeles and the San Francisco Bay region.

It should be pointed out that local government, specifically cities and counties, do have the power to regulate pollutants which are a nuisance, and to request the attorney general to bring an action in the name of the state to enjoin any pollution or nuisance.

The state and federal governments have seemingly preempted the area of vehicular air pollution emission standards and requirements. The reason is apparent. Automobiles are capable of transcending jurisdictional boundaries, whereas stationary sources of emissions are within those particular boundaries. Air pollution from moving vehicles is not solely a local problem, but a state and national problem. Both the state and federal governments have established pollution control standards for new vehicles, and the state has standards for used cars. Because of these state and national actions, it is questionable whether vehicular air pollution control is a "municipal affair." Furthermore, the development and enforcement of different standards within each locality might unduly burden interstate commerce.

What kind of standards is Mr. Norberg talking about when he says that the "Heritage City" should be able to establish its own stiffer controls? Would he like to ban most cars from the city altogether? If so, it would appear that municipalities have sufficient power under existing law to close off streets, restrict parking, provide alternative forms of transportation, such as buses or mass transit, reroute traffic on peripheral streets, and the like, to help reduce air pollution from vehicles within the city.

Moreover, although the state has pre-empted the area of vehicular air pollution standards, a city may indirectly control air pollution through land use planning. For example, if a major development or heavy industrial complex is determined by the planning commission or the city council to have a substantial adverse impact under CEQA, for which there are no viable alternatives to mitigate such damage, the development must be denied.

Hence, although direct control of vehicular air pollution has been pre-empted by state and federal law, local government still has various other ways to control such pollution by regulating vehicle routes, parking and development.

G. City Council

In order to implement the new powers of "Heritage City," Mayor Norberg envisions a city council of five members devoting full-time to its public duties. This means that council members would have to be adequately paid for their full-time activities, and that the city fathers themselves would perform many of the functions now delegated to consultants, planners, and other appointed public employees.

The mayor proposes that the first council be appointed by the governor, upon the recommendation of a "local and broadly constituted steering committee" for an initial period of five years. Norberg also recommends "appropriate" residence requirements for council members. One council member, he suggests, would have to be a resident for 20 years; another for 15 years; and a third for 10; a fourth for five; and the last for one year. The council would be elected on a rotating basis, one at a time for a five-year term of office. The members of the council would ostensibly have the power provided for in other sections of the "Heritage City" proposal to stop development, prevent freeways from being constructed within the city's boundaries, and the like.

The election of the council on a rotating basis, one every five years, could be accomplished by an amendment to the Government Code. There is a question as to why the council need be appointed by the governor at the outset, rather than popularly elected for one- to five-year terms, and how the steering committee which recommends the appointments to the governor will be constituted. It is also questionable, once the governor has been given the power to appoint the council members, whether he needs to abide by the recommendations of the steering committee, or can appoint anyone he so chooses.

The basic problem with the composition of the city council relates to residency requirements. Residency requirements, whether they be one or five years, or 20 years, are clearly unconstitutional under a stream of cases which have been handed down in recent years by both the U.S. Supreme Court and the California courts.

California statues used to require a one-year residency as a condition of holding office as a city councilperson. However, as a result of *Sith v. Evans*, 42 Cal App 3d 154 (1974), this statutory one-year requirement was repealed in 1975. The Smith case specifically invalidated the one-year requirement for residency. A previous California Supreme Court case, *Thompson v. Mellon*, 9 Cal 3d 96 (1973), invalidated residency requirements of five, three and two years for city and county candidates.

The objections to these residency requirements arise from the treatment of persons on a different basis, as derived from the equal protection clause of the 14th Amendment. Residency requirements as a qualification for running for office are similar to residency requirements for voting, in that these waiting periods impose penalties upon the fundamental constitutional right to travel, *Dunn v. Blumstein*, 405 US 330 (1972). Residency requirements, as interpreted by the courts, can only be upheld if necessary to achieve a "compelling governmental interest." The courts have found that residency requirements have failed to promote "candidates' familiarity with community conditions and issues," and that they have discriminated against newcomers without fulfilling a compelling governmental interest, and thus have denied the equal protection of the laws.

III. CONCLUSION

In conclusion, the Norberg proposal for the "Heritage City" has conceptual merit in the sense that it seeks to preserve the esthetic values of the city of Carmel and the Carmel Valley. The provisions of the proposal, however, appear to raise either constitutional questions which would result in endless litigation or seem to be fairly well covered off under existing law.

As has been stated, a city's power to zone land is a prime tool in land use control and planning. When combined with the Subdivision Map Act, the California Environmental Quality Act and the California Coastal Act, local communities would appear to have considerable power to restrain, if not stop, development, as well as to reconfigure existing land uses within their confines.

A city cannot, however, constitionally keep out certain classes of people or businesses, nor can it establish durational residency requirements as a condition for running and holding a city council office. The Legislature is not likely to grant a city the power to absorb adjacent unincorporated territory and special districts which serve such territory in view of the historical deference given to the right of self-determination on the part of persons living outside city boundaries to vote on annexation issues.

The question of whether a city, such as Carmel, should be able to establish its own air pollution controls for vehicles, as well as prevent the state from constructing freeways or highways through its jurisdiction, is one which puts the state and the city in direct confrontation with one another. It raises the level of a city to that of the sovereign state. Air pollution and transportation problems are not within the purview of the Assembly Local Government Committee, and the questions concerning these points might be best directed to the respective policy committee staffs in those areas. However, it is unlikely as a practical matter, that the Legislature would be willing to authorize a city to have power in these areas equivalent to that of the state.

The California Constitution requires that land be assessed at its market value. It is hard to see what advantage giving the city fathers the power to sit as a board of equalization for assessment appeals would have over existing law. Whether handled on a city or county level, the board must apply the law. In order to change the law to some other valuation other than market value, the California Constitution would have to be amended.

A constitutional application of existing powers should enable the city of Carmel to control unwanted growth and development. Although preservation of existing values is desirable, it is unrealistic to believe that some changes, albeit slight, won't occur. Change and development cannot be stopped "cold," as there is nothing so certain as change itself. In making decisions which impact local land use, however, Carmel city fathers have the power to ensure that those changes are positive and are in keeping with the overall character of the community.

feedbag

by Lucy Smithson

"YOU NEVER APPRECIATE the Carmel Valley so much as when you leave it," said Sherry LeFever. After two years in Plumas County, Sherry and Vern LeFever were coming home to Cachagua. "Coming back to where fishy deals just smell of ocean air, where the people are saltier and where horse lovers know which end of the horse to feed and which to clean up after" as Sherry put it.

This last was not an outstanding talent in Plumas County. It lacked any SPCA or similar facility. The LeFevers ended up caring for a number of starved and mistreated animals at the request of the Plumas County Sheriff's Department. And this complicated moving plans. Their expanded household now included cats, dogs, geese and chickens, a dozen dairy goats, three horses, three ponies, three llamas and a miniature Sicilian donkey.

Vern also was ready to come back to the coast. As a plumber he didn't think he cared where he worked when he first went up to the Sierra. Vern felt about toilets the way Ronald feels about redwood trees—you see one, you've seen 'em all. "However," he said with a grin, "it's easier to work on pipes that aren't frozen."

Of course old friends quickly rallied around with offers to help. Especially old friends with pickup trucks like myself. My husband had a 1958 Ford truck perfectly suited for hauling llamas. I would even help haul home Cocoapuffs the pony, notorious throughout Carmel Valley. Also returning was the well known Valley filly, Repent.

My husband was not overjoyed to hear that I planned to haul livestock in his truck. He was even less overjoyed when he realized I planned to drive that truck 600 miles to do it.

He fumed. He lectured. I quoted scripture at him—that bit about not laying up treasure where moth and rust doth corrupt. This made him even more frustrated. To a husband, the only thing worse than a self-righteous wife is a middle-aged self-righteous wife.

•

BY SATURDAY NIGHT he was more frustrated than he ever thought he would be. That's when I phoned him (collect) from Chico to tell him that his truck was permanently broken down with its engine seized up. Moth and rust had corrupted it. Probably running it without oil and water hadn't helped either. To a husband, the only thing worse than a middle-aged wife is one who burns up his truck 300 miles from home.

Brooding about which would be cheaper in the long run—a new engine, a new truck or a new husband—I went on to Plumas County in borrowed transportation. By the way, the autumn colors in the Feather River Canyon are terrific just now and the aspens in the high Sierras are at their best.

The LeFevers had assembled the darndest caravan you ever saw. There were three trucks with horse trailers and all of them cackled, honked, brayed or bleated. Llamas bleat! I never knew that. Goats bleat. Also ponies who feel that life is unfair, bleat. The tiny donkey, no bigger than a beagle, brays louder than any mountain canary I've ever heard. What honks are geese and trucks.

•

HEADS TURNED AS we eased down 40 miles of downgrade along Interstate 80. We fascinated passing drivers. I thought it was the animals until Sherry explained that her 1951 Ford truck captured people's attention also. It seems there are not too many 27-year-old trucks out on the freeways. Moths, rust and middle-aged wives have done-in most trucks before they reach that classic age.

Unfortunately, 1951 trucks do not have great springs. We had grown accustomed to the rough ride and to spilling the thermos of coffee over the sleeping bags. But we kept smelling smoke.

"It's agricultural burning," I said. "They burn rice straw and old legislative bills. Sacramento always has smoke in the air."

"No, it's coming from the back of the truck," declared Sherry. "Either my donkey has taken up cigarettes or Cocoapuffs, the pony, is very hot to trot."

We pulled over. The whole caravan converged on us and threw handfuls of burning straw out of the back of the truck. They were joined by a CHP officer with a fire extinguisher.

Heavily loaded with animals, the truck had sagged dangerously close to its underpinnings. A hole the size of a casaba melon had been burned in the floor of the truck bed by the hot exhaust pipe. The animals were fine although the long hair on the donkey's hind leg was slightly singed.

Suddenly it was all funny. To burn up one truck on this move, that's frustrating. To burn up two trucks—that's funny! There comes a point when the only thing to do is laugh.

We rearranged the load and hauled into the Carmel Valley by midnight. Oh yes, we appreciate the Valley after being away! Welcome home Sherry and Vern LeFever.

P.S.—Anybody know of a cheap engine for a 1958 Ford truck? Phone 659-4384 and talk to Ted Smithson. I think he's not talking to me.

The sports spectator

Girl's tennis team wins match

by Jay Posner

THE CARMEL HIGH School girls' tennis team defeated Santa Catalina, 4-3, last Thursday at Carmel. The win for Carmel was the Padres' first against Santa Catalina in 10 years. The Padres also defeated Gonzales, 7-0, on Tuesday of last week in Gonzales.

Against Santa Catalina; Carmel's three doubles teams of Ann McDonald and Heidi England, Dara Bernstein and Cindy Landis, and Laura Tanous and Laurie McGlochlin all won matches in straight sets. With their win, Tanous and McGlochlin raised their season record to 9-0. In singles play, Aileen Kelly was the only Padre to win as she improved her record to 9-1. Kelly's win came after she was notified that her match was the decisive one.

In the match against Gonzales, Kelly, Landis, McDonald and Ingrid Brook-Kothlow all won singles matches, while the doubles teams of Tricia Martin and Margaret Peavey, Karen Ildau and Theresa Ostrander, and Laura Salmonsen and Janice Helming all won their matches.

The Padres, now 5-1 in the MTAL and 7-3 overall, travel to Pacific Grove today at 3:30 p.m. to take on the Breakers.

•

IN FOOTBALL action, the Padres will unveil a new offensive look Saturday when they host Hollister High School at 2 p.m. in Carmel's homecoming game.

The Padre changes consist of moving quarterback John Lucido to halfback and reserve quarterback Joe Limov to first-string.

"We're in a slump right now," said Padre coach Frank Lynch, "and we're going to try and utilize John's speed in an attempt to make something happen on offense."

Last Friday, Carmel was defeated by Gonzales High, 7-0, in a game played at Gonzales. "We had every opportunity in the world, but we couldn't put the ball in the end zone," Lynch said after the game.

Carmel drove down to the Gonzales three in the first quarter, but the Spartan defense toughened up and forced Lucido to throw an incomplete pass on fourth down. Carmel had other chances in the first half after Paul St. Germain recovered a fumble and Steve Selle intercepted a pass, but mistakes and penalties hurt Carmel as they did two weeks ago against RLS.

Early in the fourth quarter, Carmel had another opportunity, but Dave Oliver fumbled and Kent Wiley recovered for the Spartans on the Gonzales 24. The Spartans proceeded to march 76 yards in 12 plays, with the touchdown coming on a 1-yard plunge by Alfonso Mejorado. Joe Moreno's point after kick was good and the Spartans led 7-0 with 6:37 remaining in the game.

The Spartan defense did an outstanding job as it held the Carmel offense to only 174 total yards. Gonzales double-covered Padre wide receiver Mark Nottenkamper all night long and they made Lucido force his passes.

•

THE CARMEL HIGH water polo team remained undefeated (7-0 overall, 2-0 in league) by coasting to an 18-5 victory over RLS on Tuesday of last week at Carmel. Art Strum and Adam Sherburne paced Carmel with seven and six goals, respectively. Mark Baldwin added three goals, while Carl Bresk and Jeff Hogans each scored one goal. Carmel will host Soquel on Tuesday at 3:30 p.m.

•

IN GIRLS' swimming, the Padre varsity stretched its consecutive win streak to 60 with two victories last week. On Tuesday, Carmel defeated Monterey, 62-16, and on Thursday, the Padres destroyed Santa Catalina, 121-49.

Against Monterey, Mary McCreery won two races, while Stacey Hicks, Chris Belleci, Amanda Mallery, Beth Allard, Kira Garrett, and Kerry Neill each won one race.

In the meet against Santa Catalina, Hicks and Cindy Frost each won two races, while McCreery, Gail Frost, and Maureen Falge won one race each. The Padres will host Pacific Grove today after they meet Salinas in a crucial meet earlier this week.

Nature Fair Saturday at Toro Regional Park

An all-day Nature Fair is planned Saturday, Oct. 28, in Toro Regional Park between Monterey and Salinas on Highway 68. Hours are 9 a.m.-5 p.m.

Information and display booths will be manned by representatives of the Monterey County Parks Department, the Salinas Park and Recreation Department, Moss Landing Marine Lab, the Audubon Society, SPCA, Friends of the Otter, Greenpeace, Ecology in Action, Friends of Reforestation, Defenders of Wildlife, Country Gardeners, California Native Plant Society and other groups.

Arts and crafts demonstrations and sales will feature pressed flowers in glass, spinning and weaving, moccasins and leatherwork, a graphic artist, stained glass and pottery.

Snacks will be sold by the Bagel Bakery, Friends of the Center and the American Fish Company.

Park admission is 50 cents per car.

For more information, phone 1-484-1223.

'Old Salt' race Saturday

Members of the Monterey Peninsula Yacht Club will compete for the "Old Salt" trophy in a series of sailboat races Saturday, Oct. 28, off Wharf #2 in Monterey. Racing begins at noon.

The only requirements for sailors are that they be over 30 years old and fully recuperated from last year's Over 30 Laser Regatta.

Spectators are welcome to watch the old sailors race from Wharf #2 and the adjacent beach.

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BATS AND OWLS inhabited Carmel Mission, already decaying when the United States claimed California. But Indian and Spanish residents of the area still regarded it as a sacred place and could tell grim tales of dire punishment visited upon those who defiled it or even the hallowed grounds around it, where lay buried the early padres and their Indian converts. (Photo courtesy of Pat Hathaway)

Were Carmel Mission ruins really haunted?

Although Carmel Mission had fallen into ruin by the time the United States claimed California in 1846, among the Spanish and Indian population on the Monterey Peninsula there persisted the strong belief that the deserted adobe compound and the weed-grown grounds around it remained hallowed, and anyone desecrating them would be unmercifully punished.

After the Catholic churches in California were secularized, most of their lands confiscated by royal decree and the Franciscans driven out, the supporting crops, cattle and responsible caretakers were all gone. The earliest American officials were too busy to bother with the crumbling missions or, in most cases, to settle conflicting land claims.

Many land-hungry Americans came to farm and ranch in the lush Carmel Valley, most of them tolerantly amused or outrightly scornful of what they considered the native population's superstitions about their abandoned mission. But later these original *Californios* would cluck and shake their heads sagely over what befell a greedy American farmer whose holding adjoined the empty fields where the early Padres and their Indian converts were buried, next to the roofless ruins.

Inflation had hit the Valley real estate market. The relentless law of supply and demand had driven land values up to nearly one dollar an acre. The avaricious newcomer wanted a bumper crop. No one was farming the fallow fields of the ghostly Mission, now inhabited only by owls, bats and mice.

His plow ruthlessly exposed the contents of the cemetery, right up to the molding walls of the Missionary church. Buzzards watched and crooned in disappointment at the bare bones. But when the ambitious farmer sowed his fields, other birds, crows and ravens, descended and devoured the seeds. No crop came up at harvest time.

Before it was time to plant again, the farmer's wife died. The following spring, two of his sons who sowed new seed went insane and killed each other. His daughter ran away with a man who mistreated her and died before harvest time. But again there was no harvest.

Bowed and beaten, the greedy American farmer decided not to defile the Mission's fields any longer and no further punishment was visited upon him.

Cornerstone club formed to raise theater funds

Organizers of the drive to build the Festival Theatre, envisioned as a regional theater situated between Monterey and Salinas, have formed what they call the "Cornerstone Club" to raise $100,000.

Nick Zanides of Carmel, president of the Festival Theatre of California Inc., said each member will be a donor who has given $1,000 or more. The first member is Bud Antle Inc., the Salinas-based produce company. A similar donation also has been made by Gertrude Chappell of Pebble Beach, he said.

The group plans to build the $7 million theater by 1981 on county-owned land adjoining Toro Regional Park on Highway 68. Its design will be patterned after that of the Guthrie Theatre in Minneapolis.

For additional information, phone Zanides at 624-8057.

Craftsmen invited to enter

Applications are now being accepted from Carmel craftsmen for booths at the Eighth Annual Homecrafters' Marketplace Nov. 18 at Sunset Center in Carmel.

The open-air festival in the parking lot of Sunset Center is restricted to non-profit groups and individuals who as a hobby or party-time activity create craft items. No commercially produced items are permitted and no profit-making groups are permitted to participate.

The 50 spaces available will be allotted first to Carmel groups and individuals, then if space remains, to others. Interested persons may fill out registration forms at Sunset Center and pay the $3 fee.

Gatsby dinner, dance Saturday in Valley

The Auxiliary of Behavioral Sciences Institute, the fund-raising group for the institute, will host a "Great Gatsby the Second" dinner and dance at Rancho Canada Golf Club in Carmel Valley on Saturday from 7 p.m. to midnight.

Neil Armstrong and his Rhythm Band will play until midnight. Partygoers are encouraged to wear costumes of the Gatsby era, and all costumes will be judged. Awards will be given to the best-dressed female and male.

There will be other awards for the best Charleston dancer and the best dancing couple.

Admission is $17.50 per person, which includes the two free drinks, tax and tip.

All profits from the event go to the Behavioral Sciences Institute covering scholarships to help children with speech and hearing handicaps.

For reservations, phone co-chairmen Pat Tinsley, 624-3309, or Camilla Lunke, 624-0687.

THE AMIS TRIO will present its first Northern California concert Friday, Oct. 27, at Hidden Valley Music Seminars, Ford Road and Carmel Valley Road, Carmel Valley Village. Trio members are (left to right) pianist William Tracy, cellist Carolisa Lindberg and flutist Lisa Edelstein.

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Southern Italian Amphora from the Avery Brundage collection. Auctioned for $6,000 on May 23

Butterfield & Butterfield will be in the Monterey Peninsula area on November 1st looking for pieces to be auctioned in San Francisco.

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Round-up of Peninsula Halloween activities

Ghosts, goblins and witches of all ages will have many events, from pumpkin carving at the Barnyard to costume contests at the YMCA, to haunt this Halloween weekend.

• Adults who enjoy shivering with horror can attend the Horror Movie Marathon Friday, Oct. 27, from 8 p.m. to 1 a.m. at the YMCA, Webster and Camino El Estero Streets, Monterey. Admission is $1.25 and children under 14 must be accompanied by an adult.

For those who enjoy a masquerade there will be a dance at the YMCA and a party for single parents sponsored by the Parents Without Partners organization.

• Disco dancing ghosts can haunt J. J. Macadoo's Pizza Ballroom at the Del Monte Shopping Center in Monterey on Halloween night Tuesday, Oct. 31.

Beginning at 8:30 p.m. Macadoo's will host its first annual Hollywood Costume Ball with the theme "Come in Glitter or Come as a Star." Prizes will be awarded for best costumes and dancing throughout the evening. There will be a $2 cover charge and participants must be 21.

• Frank 'n' furter, Riff Raff and Little Nell costumes will be considered proper dress for a Rocky Horror Halloween Party Saturday at midnight at the Dream Theater, 301 Prescott, Monterey. Advance reservations are required and tickets are available at the Dream.

• From 9 p.m. to midnight Saturday, Oct. 28, the band Crystal Bridge will lead the festivities at the YMCA building. Prizes will be awarded for the best costumes. Admission is $1.50.

• A Halloween party with games, costumes and prizes will be sponsored by the Parents Without Partners Saturday, Oct. 28, at 8 p.m. Single parents are welcome to attend the party at the recreation room at 465 Dela Vina St., Monterey. A fee of $1.50 for members and $2 for non-members will be charged. For more information, phone Chuck Ballard at 649-4732.

Children will enjoy the costume contests, horror movies and the haunted house offered by various community organizations beginning Saturday, Oct. 28.

• Carnival booths will be set up and contestants will be guaranteed winners at the children's party Saturday, Oct. 28, at the YMCA. A haunted house and chilling movies will also tingle participants from 10 a.m. to 8 p.m. There is no general admission but tickets for booths are 25 cents, haunted house admission is 50 cents and movie admission is 25 cents. Children under eight years old must be accompanied by an adult.

The activities will be repeated Sunday from 1-6 p.m. At the conclusion of Sunday's activities a Halloween costume contest winner for ages 14 and under will be chosen. Judging will be done by local radio KIDD employees who will choose the most original and frightening costumes. For more information, phone 372-7568.

• Seaside Branch Library will sponsor a pumpkin carving and film for school age children Saturday, Oct. 28, at 550 Harcourt Ave., Seaside, at 10:30 a.m. All children will help carve the library's pumpkin.

The movie, *Man, Monsters and Mysteries*, produced by Walt Disney Studios, features the Loch Ness monster.

For more information, phone 899-2055.

• A Haunted House, sponsored by the Monterey Parks and Recreation Department will be open Saturday and Sunday, Oct. 28-29, 6-8 p.m., at the Monterey Youth Center, 777 Pearl St. Monterey. Admission is 75 cents and children under 7 should be accompanied by an adult. For more information, phone 372-5115.

• Four films will be shown at a free Halloween matinee Saturday at 2 p.m. at the Monterey Public Library, 625 Pacific St., Monterey. Films to be shown are *Children of the World, Frederick, Mache Ehate Bengalee* and *Mole as Painter*. Refreshments w ll be served and children of all ages are welcome. For more information, phone 372-7391.

• The ninth annual Pumpkin Carving and Decoration Contest for children 5 to 12 will be Sunday, Oct. 29, at the Del Monte Hyatt House, 1 Old Golf Course Road, Monterey.

Children are asked to carve and decorate their own pumpkin at home and bring it to the Terrace Room of the Hyatt House between 1 and 2 p.m. Judging will begin at 2 p.m. and prizes will be awarded to each age category: children 5-6; 7-9; and 10-12. Refreshments will be served.

For further information, phone 372-8121, ext. 281.

• The Barnyard invites everyone to enter the Great Pumpkin carving contest on Monday, Oct. 30, in its courtyard, Highway 1 and Rio Road, Carmel.

Contestants can register free of charge at the Thunderbird Bookshop between 2 and 4 p.m. with judging to begin at 5 p.m. and pumpkin lighting at 6 p.m.

Categories include children 8 and under, children 9-12, children 13-15, adults and families.

For more information, phone 624-8886.

Don't forget to turn clocks back

Two o'clock Sunday morning, Oct. 29, marks the official end of Daylight Saving Time for this year.

The California State Automobile Association (CAAA) reminds motorists that this biannual time change (spring forward—fall back) requires a re-evaluation of late afternoon and early morning driving habits.

Although it happens every year, drivers are often surprised to find themselves heading home from work in the dark.

"After setting clocks back one hour before retiring Saturday night, it is a good idea to prepare yourself for the change," says Neal Garrison, president of the auto club. "Nighttime driving conditions at the end of a day's work can contribute to an increase in accidents unless drivers are prepared to cope with the additional hazards of driving after dark."

The CSAA official reminds drivers that darkness brings the double risk of reduced visibility in combination with the glare of oncoming headlights. Drivers should remember to have their lights checked, both front and rear, to be sure that they comply with Department of Motor Vehicle standards, and then remember to drive on low beams, except when the road ahead is clear of traffic. This also applies when following vehicles, since the glare of high-beam headlights reflected in rear-view mirrors can be as blinding as those of an oncoming car.

Other hazards resulting from the earlier sunset involve children leaving school late in the day, some on foot, others on bicycles.

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PG&E is working on such projects. For example, we are partners in building an experimental sunlight-to-electricity plant that will produce small amounts of power by the early 1980's. But the cost of this electricity will be about 30 times as much as that from a new conventional plant.

According to government estimates, even by the end of the century, the sun will provide no more than 10% of our electric needs. In the meantime, we'll need government approvals to build conventional plants to help meet your growing demands.

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CHARMING FOUR BEDROOM, two and one-half bath home. South of Ocean; walk to town and beach. Sunny spacious brick courtyard and redwood deck. Mostly furnished. Some ocean view. Location and esthetic value a plus. Owner will finance. $198,000 or lease at $750 per month. 624-3049.

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Wanted

OLDER GOLF CLUBS preferably 1950s. Also wood shaft clubs. 659-2026.

JUICER WANTED: If you have a juicer with a pulp extractor that is in excellent condition please call Judi Ferguson at 624-0162 days and 663-4943 evenings.

For Rent

THREE BEDROOM HOUSE with den, large patio. Quiet neighborhood. Walk to beach and mission. 624-9620 or (415) 526-4714.

CHARMING ENGLISH STYLE HOME, Dolores near post office. Fully furnished, maid plus utilities included. $685. 624-7403.

FOR LEASE: Exquisitely furnished three bedroom, two bath house in Carmel. Quiet neighborhood, walk to town. Living room with fireplace, dining room, cathedral ceilings, kitchen with breakfast bar, refrigerator, dishwasher, garbage disposal, built-in double ovens, separate laundry area, washer and dryer, oversized two-car garage. $650 per month. Call 247-2888 or write P.O. Box 5542, Carmel.

Wanted to Rent

STUDIO APARTMENT wanted for responsible Pine Cone staff member. Prefer Carmel or Monterey area. References. Phone 372-2202 after 5:30 p.m.

NEED INEXPENSIVE Carmel or Carmel Valley accommodations for self, daughter. Light housekeeping, other services for rent reduction. Ranch, farm acceptable. References. J. King, General Delivery, Carmel.

Business Opportunities

ICE CREAM PARLOR and coffee shop in Carmel's newest shopping area, the Barnyard. Excellent lease, serving Dreyers ice cream and all soda fountain items, soup, sandwiches, hamburgers and pies. Also, candy and nuts. 1,000 square feet plus terrace with view seats 60. Brand new top of the line fixtures, appliances and furniture. $145,000. Owner will help finance. Call Herma Smith Curtis (408) 624-0176.

PACIFIC GROVE and Monterey's only nationally known A & W Rootbeer Drive-in Restaurant. Well established business in excellent location. 29 per cent or more down with easy terms. Details available at Herma Smith Curtis Real Estate, 546 Hartnell Street, Monterey, CA 93940. (408) 372-4508.

OWN YOUR OWN MOVIE

(non-theatrical rights)

Proven distribution and income. 60% first year write-off. $50M of $100M, 20% down, balance from revenues. Detailed package mailed. Leave name, address and telephone at 625-2433, Ext. 25.

TOD COX
Business Broker
625-2654 659-2729

CARMEL LADIES' Imported Sportswear. Established 15 years. Excellent profit for owner/operator.

CARMEL RESTAURANT --Beer and wine. Outside patio dining. Monthly gross $13,000. $75,000 with terms.

Help Wanted

IF YOU ARE experienced in selling ladies ready to wear and enjoy working in a pleasant environment with a refined clientele, The Glass Butterfly needs you! Call Barbara, 624-4131.

COLLATORS for Carmel Pine Cone. $5.50 per 1,000; assistants, $3.25 per hour. Students OK. Wednesday, 7 p.m.-midnight. Call Mike or Betty, 624-8272.

BABYSITTER NEEDED evenings, 5 p.m. to 9 p.m. $1 per hour. Two children ages 6 and 7. 659-4838.

PART-TIME Executive director for California Aquaculture Association. This small association representing a young and important industry seeks retired executive to handle limited administrative and coordinating responsibilities for nominal salary. Please respond to P.O. Box 5293, Carmel.

DISPLAY ADVERTISING SALESPERSON

For successful Carmel weekly newspapers. Top pay, incentive, benefits for experienced person with proven record of success. Must be able to do own layouts. Call in confidence, Bill, 624-0162.

Situations Wanted

MIDDLE AGED LADY would like to house sit for extended period of time. Lived in same community for over 30 years. Has excellent references. Have active real estate license and would like to work in Carmel area. Please reply to 242 H St., Bakersfield, Ca. 93304 or (805) 324-1631 after 5:30.

ATTRACTIVE LADY, 50, with small pet will trade weekly housecleaning for living quarters, or will consider live-in companion. Shirley Heath, General Delivery, Carmel.

TYPING SERVICES by experienced secretary. IBM electric typewriter. Special rates for volume work. 424-4184 or 757-1533.

HOUSESITTING POSITION desired by responsible Carmel Pine Cone employee. References. Call Cyndee, 624-0162.

Wanted to Buy

PRINTING BUSINESS WANTED: Will consider any serious offer on job shop operation, rotary house or brokerage operation. Call collect Don Becker (713) 783-3922.

Commercial For Rent

1100 SQUARE FEET for lease. Well located Carmel shopping court. Beautifully appointed. Ideal for art gallery or retail shop. 624-9541.

Rental Sharing

SELECTIVE SHARING INC. A reputable new service designed to help those who have and those who need a home to share. All clients carefully screened. 624-3444.

Help Wanted

SCHOOL-AGED boy or girl to mow small lawn. I supply all equipment. Phone 625-3623 after 6 p.m.

MOTEL MAID, full time, Carmel phone 624-4086.

Pets & Livestock

FOOL'S GOLD: Lovely 4-year-old Palomino-Appaloosa gelding. 15-2 hands. Gentle, affectionate. Well started dressage and over fences. Good trail horse, too. $1,000. 624-8086 evenings.

QUARTER HORSE MARE: Joe Reed, Joe Reed II breeding. 16 hands, grey, 12 years old, sound, kind and sensible. Offered as broodmare prospect, not saddle horse. 659-2023 evenings, weekends.

NEED REGISTERED AMERICAN Alpine Buck to pasture my registered American Alpine does (2) with. Call Judi Ferguson 624-0162 days, 663-4943 evenings. This is URGENT. I need to breed them this fall.

Autos For Sale

'29 MODEL A FORD roadster, rare, concours, mint, $11,000. 624-7403.

1973 NOVA HATCHBACK. Fine condition. 45,000 miles. $2,400. 625-3623 eves.

74 DATSUN 260Z, four speed, silver gray, super car. $4,400 or offer. Evenings 624-2872.

1971 VW BUG, 95,000 miles. Runs well. Needs muffler and small amount of body work. Radial tires. $1,500. 659-2617.

FOR SALE: Bright red BMW 320i in perfect condition. AM-FM auto reverse cassette. Low mileage excellent condition. $11,000. 373-0361 evenings.

1965 MUSTANG "California Classic." New transmission, new tires, engine recently overhauled. Brand new paint, bodywork. Excellent condition. Must see. $3,000. 384-4286 after 6 p.m.

Farm Produce

FARM PRODUCTS

Freezer beef—choice lean halves, 96c lb., no hormones; guaranteed; Frusetta Ranch. (408) 628-3559.

GIZDICH RANCH APPLES--FARMER TO YOU

Tree ripened Red Delicious, Newtown pippin and other varieties, 10c-19c per pound by the box. Fresh apple juice, frozen raspberries, ollalie and strawberries. Also antique shop. Highway 1 to Watsonville, take Riverside Dr. (Highway 129) east 3 miles, left onto Lakeview Rd., right at Carlson Rd. to 55 Peckham Rd. Daily 9-5. 722-1056.

Instruction

TUTORING: Elementary, all subjects. 15 years classroom teacher. References. 624-5724.

Public Notices

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Minor Subdivision Committee of the County of Monterey, State of California, will hold a public hearing on the application of JOHN HOLMES (MS-78-177) for a Minor Subdivision in accordance with Section 9 of Ordinance No. 1713, the Subdivision Ordinance of the County of Monterey, which would allow the division of 2.1 acres into a 1.0 acre parcel and a 1.1 acre parcel located in the Carmel Valley area, east side of Rancho Fiesta Road, approximately 1,000 feet north of Carmel Valley Road.

A Negative Declaration has been prepared for the proposed project and the Minor Subdivision Committee will consider the adoption of the Negative Declaration at the hearing. (Mitigated)

NOTICE IS FURTHER GIVEN that said hearing will be held on November 9, 1978 at the hour of 9:00 a.m. in the Supervisors' Chambers, Courthouse, Salinas, California, at which time and place any and all interested persons may appear and be heard thereon.

MONTEREY COUNTY MINOR SUBDIVISION COMMITTEE

Date of Publication:
Oct. 26, 1978

(CVO 1068)

NOTICE OF INTENTION TO ENGAGE IN THE SALE OF ALCOHOLIC BEVERAGES

To Whom It May Concern:

Subject to issuance of the license applied for, notice is hereby given that the undersigned proposes to sell alcoholic beverages at the premises, described as follows: S-S Carmel Valley Rd., 11 3-4 mi. E. of Hwy. 1, Carmel Valley.

Pursuant to such intention, the undersigned is applying to the Department of Alcoholic Beverage Control for issuance of an alcoholic beverage license (or licenses) for these premises as follows: ON SALE GENERAL SEASONAL.

WILLARD E. FAY, INC.
Pres., Willard E. Fay
Sec., Barbara Fay
Treas., Michael Franke

Date of Publication:
Oct. 26, 1978

(CVO 1063)

NOTICE OF PROPOSED CHANGE OF ZONING ORDINANCE

(Lower Carmel Valley Area)

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Monterey, State of California, will hold a public hearing on the application of PEARL WILLIAMS (PC-3436) to amend Section 10-4J of Ordinance No. 911, being the Zoning Plan Ordinance of the County of Monterey, thereby considering the reclassification of certain property located on Lot 17, Descanso Oak Estates Subdivision, Lower Carmel Valley area, fronting on and westerly of Via Petra, from an "R-1-A-B-4" District to an "R-2-A-B-4" District or to some other classification, to allow a residential care facility.

NOTICE IS HEREBY FURTHER GIVEN that said hearing will be held on November 8, 1978 at the hour of 11:15 a.m. in the Supervisors' Chambers, Courthouse, Salinas, California, at which time and place any and all interested persons may appear and be heard thereon.

MONTEREY COUNTY PLANNING COMMISSION
E. W. DE MARS
Secretary

Date of Publication:
Oct. 26, 1978

(CVO 1067)

Classified advertising

Call 624-0162 to place a low-cost want ad today

Public Notices

NOTICE OF PUBLIC HEARING
(Williams Canyon-Palo Corona Area)

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Monterey, State of California, will hold a public hearing on the application of WESTBROOK LAND & TIMBER (PC-3432) for a Use Permit in accordance with Section 32 of Ordinance No. 911, the Zoning Ordinance of the County of Monterey, which would allow commercial removal of conifers, located on portion of Sections 9, 10, 15 and 16, Township 17 South, Range 1 East, Williams Canyon-Palo Corona area, accessing to Carmel Valley Road, Coastal Zone area. (NOTE: A Negative Declaration with Mitigation Measures has been prepared for the proposed project and the Planning Commission will consider the adoption of the Negative Declaration at the hearing.)

NOTICE IS HEREBY FURTHER GIVEN that said hearing will be held on November 8, 1978 at the hour of 2:55 p.m. in the Supervisors' Chambers, Courthouse, Salinas, California, at which time and place any and all interested persons may appear and be heard thereon.

MONTEREY COUNTY PLANNING COMMISSION
E. W. DE MARS
Secretary

Date of Publication:
Oct. 26, 1978

(CVO 1064)

NOTICE OF HEARING APPEAL FROM MARCO TREGANZA FROM THE DECISION OF THE PLANNING COMMISSION DENYING HIS RECLASSIFICATION IN THE CACHAGUA AREA, AND FROM THE DECISION OF THE MINOR SUBDIVISION COMMITTEE DENYING HIS MINOR SUBDIVISION APPLICATION FOR THE SAME PROJECT, DISTRICT NO. 4

NOTICE IS HEREBY GIVEN that Marco Treganza has appealed to the Board of Supervisors from the decision of the Planning Commission denying his reclassification on property located on portion of Section 2, Township 18 South, Range 3 East, Cachagua area, fronting on and northerly of Cachagua Road, to allow two building sites, and from the decision of the Minor Subdivision Committee denying his Minor Subdivision application for the same project, District No. 4.

NOTICE IS FURTHER GIVEN that the hearing on said appeal has been fixed by the Board of Supervisors for Tuesday, the 7th day of November, 1978, at the hour of 2:30 p.m., in the Chambers of said Board in the Courthouse, Salinas, County of Monterey, State of California, at which time said Board will hear the evidence offered by any person interested in said matter.

DATED: October 17, 1978.

ERNEST A. MAGGINI
Clerk of said
Board of Supervisors

Date of Publication:
October 26, 1978

(CVO 1062)

Pine Cone Classifieds run in the Carmel Valley OUTLOOK every week!

Misc. For Sale

HEADING INTO SNOW? Almost new, excellent condition; two F78-15 snow tires for Dodge truck. $50. Phone 899-0268 between 6 p.m. and 9 p.m.

16MM KEYSTONE model A-82, 300 foot reels, f 1.6-2 inch lens. Also goes in reverse. Carrying case. 659-2026.

BATHROOM SINK, drain trap, toilet: good, $12.00. 3-speed English bicycle, $35. Swim pool cover, $20. 372-5530.

LOVELY ANTIQUE American pine stand with one drawer, a bottom shelf and spool turned legs. 32" by 18" by 27" tall. $125. 624-9051.

FRIGIDAIRE CUSTOM Imperial Model 22CF refrigerator, side by side, practically new. Excellent shape. $350. Carmel. Phone 624-1715.

PRACTICALLY NEW Record-A-Call answering service in original packaging. $150. 625-0741.

LOUNGE CHAIR, large 4 feet deep, down cushions, custom built. Perfect condition. Like new. Reasonable, 625-2279.

FOR MOVING: 100 various sized packing cartons. Excellent condition. 624-9304.

OAK HALLSTAND with tile. English. Very beautiful. $145. Dining table with four chairs, $150. 624-1608.

Special Notices

THIS PAPER WILL NOT be responsible for any ad appearing incorrectly for more than one insertion. If your ad appears inaccurately, please notify us immediately.

HOLIDAY BAZAAR, Saint Dunstan's Church, Robinson Canyon Road, Carmel Valley, Saturday, Nov. 4, 10-3:30, luncheon available. Attic treasures, handmades, gourmet and decorations.

KIDS--SIGN UP NOW to sell the Carmel Pine Cone. It's a chance to earn extra money while having fun. Visit our new location (NE corner of San Carlos and Ocean, upstairs) to obtain your parental permission slip and you too can become an official Pine Cone salesperson. For those of you who have already signed up, come see us soon. We will be looking for you.

BASIC ASTROLOGY CLASSES BEGINNING OCTOBER 20TH.
Call 375-9353

STAN KLEIN, Authorized Representative for BLUE SHIELD of CALIFORNIA. Groups/Individuals. New high deductible, low cost, $1,000,000 Plan. For information, leave name and phone number at 625-2433, Ext. 25.

AL COOK'S APEX RENT-A-CAR
NEW CARS - ALL SIZES
featuring
COMPACT CARS
COMPACT PRICES
373-2432
1000 Aguajito Monterey

Misc. For Sale

AM-FM stereo car radio. New. Installed in my new car 2 mos. ago. I now have a cassette.$160 new. $100. 624-2304 evenings.

TAKAMINE guitar, model No. C136S. Includes hard case. $300. Evenings, 372-2935.

SERVEL GAS REFRIGERATOR. Call 659-2064.

16MM BELL & HOWELL films model 129D, professional projector but no sound. Stops, reverses, F 1.6-2 inch lense, 1,000-foot reels, large carrying case. 659-2026.

CHRISTMAS!!!! Now that your mind is on a cheerful note . . . I have a GIRLS RALEIGH BIKE, 20", racey and lightweight, excellent condition. The original cost was over $100. My daughter has outgrown it and has barely used it. It looks new. I will sell it for $75 firm. Days call 624-0162 and ask for Judi Ferguson. Evenings call 663-4943.

NEED EXTRA STORAGE? Large bookcase, cabinet units with sliding doors for your laundry room, child's room, pantry. $15-$20. Call 372-8660 evenings.

1 and 3 WOODS, 7 irons, bag and cart. Perfect condition. $75. 659-2026.

NEWSPRINT: Hundreds of uses for newsprint end rolls: drawing, sketching, shelf lining, packing, pattern-making, kindling—you name it! Clean, unused newsprint from 25 cents to $2.50. Carmel Valley Outlook. Mid-Valley Shopping Center, 624-0133.

SKI BOOTS, size 9, excellent condition, red, white and blue. $25. Call 372-8660 after 6 p.m.

AZUKI 10-speed, practically new. Sun Tour gears, Dia-Compe brakes. White with matching carrier for car. $100. 624-2304 evenings.

BOWLING BALL, shoes, bag. $30. Jim Barrett, 8-5 p.m. weekdays, 624-0162.

Jack Laycox painting
"THE BRIDGE"
oil, 50"x23½" vertical
Brown, orange, white
Modern Frame
BEST OFFER
(415) 234-7546

Misc. for Sale

WOMANS BICYCLE, 10 speed, Mixte frame mercier with new high pressure tires. Excellent condition. $110. 624-6733 after 5 p.m.

HIDE-A-BED with new mattress. $75. Phone evenings and weekends, 624-5030.

Services Offered

PHOTOGRAPHY: Portraits, commercial, art. Black and white, color. Reasonable rates, professional jobs. Phone 384-7124.

MR. FIX-IT repairs, painting, etc. Eighteen years in Carmel. No job too small. Ed Miller, 624-2930.

PAINTING AND PAPERHANGING by professional. 19 years experience. Free estimates. Local references. Joe DiMauro, 624-1207.

CARPENTRY JOBS by able, reliable, well known Peninsula resident. Hourly rates. 649-1755.

CALIGRAPHY: Signs, cards, posters. Low rates. No job too small. Free estimates. 384-4286 after 6 p.m.

BUSINESS CARDS: Your design, high quality. Thermographed. $14.50-M compares to $30 cards. Fast service. Call Tryg. 659-4381.

JOHN LEDING PAINTING...quality interior, exterior painting. Insured. Free estimates. 625-1017.

CARMEL RESIDENT offers EXPERIENCED TUTORING SERVICE to local students. College graduate. 624-3712.

HAULING, DELIVERIES, LOCAL moving, yard problems. DON'T WAIT. Call Speedy in Carmel, 624-4980.

CUSTOM DESIGNED CLOTHING for special occasions. Private fashion consultation. Weddings, evening clothes a specialty. Call Willy at 659-4020 for appointment.

ENJOY CLEAN WINDOWS in your home. Reasonable rates by established professional. Call 624-3712 for free estimate.

QUICK CARPENTRY SERVICE. Fences and gates, decks, stairs, porches. Call Victor, 372-0159.

EXPERIENCED PAINTER needs work. Neat, clean, reliable. Will do the extras. Free estimates. 372-0836.

PLUMBING, ELECTRICAL, SMALL job specialist, call Ed, 624-4678.

Classified Ads
MINIMUM ORDER: 10 words
1 TIME 45¢ WORD
2 TIMES 55¢ WORD
3 TIMES 65¢ WORD
4 TIMES 70¢ WORD
Each additional week: 15¢ per word
Ads run in BOTH
THE CARMEL PINE CONE
and
CARMEL VALLEY OUTLOOK
624-0162
Deadlines: Monday 5 p.m.

SERVICE DIRECTORY

Call about our low, low service directory rates

CARMEL PINE CONE
CARMEL VALLEY OUTLOOK
624-0162

Appliance Repair

STANLEY APPLIANCE CO.
Sales and service on most popular makes. Factory authorized service for Kitchen-Aid, Frigidaire, GE and Sub Zero. 26380 Carmel Rancho Blvd. **624-8226**

CARMEL VALLEY APPLIANCE
All appliances repaired. Guaranteed lowest rates. We repair anything with a plug. **659-4107**

Boutiques

SWEATER SHOP BOUTIQUE, DRESS SHOP
Joan and Jerry Winters, owners
Teeny-tiny sizes through Oh Boy! South Lincoln near Ocean, Carmel. **624-4224**

Chimney Cleaning

MORRILL & FORBES
'Chimney Sweep'. **625-2433, ext. 35**

TOP HAT CHIMNEY SWEEP
Fast cleaning, professional service. Member Nat'l. Chimney Sweep Guild. Anytime **373-0515**

Disposal Svc.

CARMEL VALLEY DISPOSAL SERVICE
Residential-commercial garbage and rubbish disposal for Carmel Valley and Carmel and from Cachagua to Big Sur. Containers, debris boxes and compactors rented by the day, week or month. Over 50 years serving Carmel and suburban areas. 8th Ave. and San Carlos, Carmel. **624-4303**

Electrician Services

Emergency Service, Remodeling, Consulting, New Installations. Roger Cannon. **659-4353**

Housewatching

HOMEWATCHERS, LTD.
While you are gone; we'll check your home security, feed pets, bring in the mail and paper, adjust drapes. We'll make your home appear lived in. We also provide additional services such as stocking the kitchen before you return and will consider special requests. **659-2915**

Interior Designer

Let me help you make your home a dream house. Great ideas -- Experienced -- Reasonable. Call Jane Bradford between 9-5, Monday through Saturday. **624-5924**

Laundries

DEL MONTE COIN-OPERATED LAUNDRY
In Monterey, between Hastings and Saks, at Del Monte Center. Open 7 days a week, 7 a.m.-11 p.m. Featuring NEW Maytag Dial-a-Fabric washers, Frigidaire top loaders, Philco/Bendix front loaders (single and double) and two heavy-duty 30 lb. washers.

Leather

CHICO'S LEATHER FOREVER
Quality repairs & custom work plus a large selection of bags, sandals, racquet covers, belts, huraches, etc. Reasonable prices. Ask a friend about our work, then stop by on your way to the Post Office. Parking close by. Del Dono Court, Dolores at 5th. **624-4842**

Your listing here will get results because it reaches 15,000 readers every week!

Painting

HOUSEPAINTING
Interior or exterior. Two workmen include carpentry and repair. Reasonable. References. **624-4210**

RICHARD H. WRIGHT
Professional painting inside, outside, all around the house. Carmel. **624-2927**

WILSON'S PAINTING
Interior/exterior. $7.00 per hour. Free estimates. Please call Craig Wilson. **373-2590**

M.E. GAMBLE
Specialized interiors, exteriors. Highest quality work. References. Free estimates. After 6 p.m. **624-7868**

Rototilling

PETER HILL CO.
Tilling, Discing, Mowing. **659-3437**

Upholstery

VERDE'S UPHOLSTERY
Custom furniture and auto upholstery. Rescreening done for screen doors. Carmel Valley Village. **659-3220**

CARMEL PINE CONE
CARMEL VALLEY OUTLOOK
624-0162

Public Notices

NOTICE OF PROPOSED CHANGE OF ZONING DISTRICT
(Cachagua Area)

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Monterey, State of California, will hold a public hearing on a Resolution of Intention to amend SECTION 10-10M of Ordinance No. 911, the Zoning Ordinance of the County of Monterey, which, if enacted, would reclassify certain property located on portion of Section 3, Township 18 South, Range 3 East, Cachagua area, located southerly of Cachagua Road, from an "N 10 Ac. Min. Bldg. Site" District to an "N-B-7" District or to some other classification, to allow 2 building sites. (KRISTI AMBROSINI, PC-3446)

NOTICE IS HEREBY FURTHER GIVEN that said hearing will be held on November 8, 1978 at the hour of 2:20 p.m. in the Supervisors' Chambers, Courthouse, Salinas, California, at which time any and all interested persons may appear and be heard thereon.

MONTEREY COUNTY PLANNING COMMISSION
E. W. DE MARS
Secretary

Date of Publication:
Oct. 26, 1978

(CVO 1066)

NOTICE OF PROPOSED CHANGE OF ZONING DISTRICT
(Lower Carmel Valley Area)

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Monterey, State of California, will hold a public hearing on a Resolution of Intention to amend SECTION 10-5J of Ordinance No. 911, the Zoning Ordinance of the County of Monterey, which, if enacted, would reclassify certain property located on portion of Section 22, Township 16 South, Range 1 East, Lower Carmel Valley area, from a "K-G-J-B-4" District to a "K-G-J-B-6" and "K-G-J-B-7" District or to some other classification, to allow 4 building sites. (WILLIAM COOK, PC-3455)

NOTICE IS HEREBY FURTHER GIVEN that said hearing will be held on November 8, 1978 at the hour of 2:20 p.m. in the Supervisors' Chambers, Courthouse, Salinas, California, at which time any and all interested persons may appear and be heard thereon.

MONTEREY COUNTY PLANNING COMMISSION
E. W. DE MARS
Secretary

Date of Publication:
Oct. 26, 1978

(CVO 1065)

NOTICE OF PROPOSED CHANGE OF ZONING DISTRICT
(CARMEL AREA)

NOTICE IS HEREBY GIVEN that the Planning Commission of the County of Monterey, State of California, will hold a public hearing on the application of RODERIC TOKUBO (PC-3452) to amend Section 10-3J of Ordinance No. 911, being the Zoning Plan Ordinance of the County of Monterey, thereby considering the reclassification of certain property located on Lot 9, Rio Way Subdivision No. 2, Carmel area, fronting on and westerly of Riverside Way, Coastal Zone, from an "R-1" District to an "R-4" District or to some other classification, to allow 4 residential units.

NOTICE IS HEREBY GIVEN that said hearing will be held on November 8, 1978 at the hour of 12:05 p.m. in the Supervisors' Chambers, Courthouse, Salinas, California, at which time and place any and all interested persons may appear and be heard thereon.

MONTEREY COUNTY PLANNING COMMISSION
E. W. DE MARS
Secretary

Date of Publication:
Oct. 26, 1978

(CVO 1069)

Valley girl wins S.F.B. Morse scholarship

High school sophomore Carol Cunningham of Carmel Valley is one of five S. F. B. Morse Scholarship Fund grant recipients for the 1978-79 school year at Robert Louis Stevenson School in Pebble Beach. She is the daughter of Mr. and Mrs. Alan Cunningham.

The scholarship, supported by the Bing Crosby Youth Fund, makes partial financial assistance available to deserving students who are selected by the RLS Scholarship Committee.

SAFEWAY Where Everything's Right Including The Price

SAFEWAY COUPON — With this coupon and purchased of $5 or more — $1.00 OFF — Light Bulbs — G.E. Soft White, 60, 75, 100 watt, 4 pack — $1.00 OFF D.C. — Remember the end of Daylight Savings time. Limit one 4 pack per coupon. Void after Oct. 31, 1978. Coupon valid only at stores listed on this page. SAFEWAY COUPON

Tea Bags — Save 22¢ — Lipton, Black, 100 ct. — SAFEWAY SPECIAL — $2.29

Cookies — Busy Baker, Vanilla, Lemon or Ginger Snaps, 2 lb. — Save 20¢ — SAFEWAY SPECIAL — $1.09

SAFEWAY COUPON — With this coupon and purchased of $5 or more — $2.00 OFF — Canned Ham — Safeway 5lb. or 8lb. Tin — $2.00 OFF D.C. — Limit 1 per coupon. Void after Oct. 31, 1978. Coupon valid only at stores listed on this page. SAFEWAY COUPON

Large AA Eggs — SAFEWAY Low Price — Lucerne, Dozen — 71¢

American Cheese — Save 14¢ — Lucerne, Single Wrapped Processed Food Slices, 8 oz. — SAFEWAY SPECIAL — 85¢

Frozen Spinach — Buy 3 Save 16¢ — SUPER SPECIAL — Bel-air, 12 oz. — 3 for 89¢

Sweet Corn — Buy 3 Save 11¢ — SAFEWAY SPECIAL — Del Monte, 16 oz. — 3 for $1

Apple Cider — Town House, gal. — SAFEWAY Low Price — $2.49

Mayonnaise — Nu-made, 32 oz. — SAFEWAY Low Price — $1.09

Chunk Tuna — Save 8¢ — Star-kist, Light, 6.5 oz. — SUPER SPECIAL — 69¢

Cat Food — SAFEWAY SPECIAL — Friskies, 6.5 oz. — Buy 4 Save 24¢ — 4 for $1

Coffee — Safeway, Bagged, Preground, 2 lb. — SAFEWAY Low Price — $4.77

Bread — Buy 2 Save 18¢ — Safeway, Premium, 1½ lb. — SUPER SPECIAL — 2 for $1

Scotch Buy — It ain't fancy but it sure is good!

Fabric Softener — Scotch Buy, 1 gallon — Everyday Low Price — $1.03

Laundry Detergent — Scotch Buy, 49 oz. — Everyday Low Price — 89¢

Fruit Drink — Scotch Buy, Flavored, 46 oz. — Everyday Low Price — 52¢

Long Grain Rice — Scotch Buy, 2 lb. — Everyday Low Price — 69¢

Catsup — Scotch Buy, 12 oz. — Everyday Low Price — 33¢

Tomato Juice — Scotch Buy, 46 oz. — Everyday Low Price — 49¢

Syrup — Scotch Buy, Imitation Maple, 32 oz. — $1.03
Pancake Mix — Scotch Buy, 1-lb. — 39¢
Strawberry Preserves — Scotch Buy, 2-lb. — $1.59
Grape Preserves — Scotch Buy, or Jelly, 2-lb. — $1.09
Tea Bags — Scotch Buy, Black, 100 ct., 8 oz. — $1.53
Sweet Corn — Scotch Buy, Whole or Cream Style, 16 oz. — 3 for 89¢

LIQUOR, WINE & BEER VALUES

Scotia Royale — 12 years old. Imported Scotch. Exclusive at Safeway. 86 Proof. Fifth (Case of 12, $71.88) — Save $1.78 — SUPER SPECIAL — $5.99

Kahlua Liqueur — 53 Proof, 11.5 oz. (Case of 24, $102.96) — Save 70¢ — SUPER SPECIAL — $4.29

Seagram's V. O. — Canadian Whisky, 86.8 Proof, 750 ml. (Case of 12, $79.08) — Save $1.00 — SUPER SPECIAL — $6.59

Mateus Wine — Rose' or White, 25 oz. (Case of 12, $35.88) — Save 60¢ — SUPER SPECIAL — $2.99

Cold Brook — Blended Whiskey, 80 Proof, 1.75 liter (Case of 6, $40.42) — Save $1.00 — SUPER SPECIAL — $6.77

Paul Masson — Generic Wine, 1.5 liter (Case of 6, $16.74) — Save 70¢ — SUPER SPECIAL — $2.79

Wolfschmidt Vodka — 80 Proof, 1.75 liter (Case of 6, $47.94) — Save $1.30 — SUPER SPECIAL — $7.99

Olympia Beer — 12 oz. Cans (Case of 4, $6.36) — Save 20¢ — SUPER SPECIAL — $1.59

SAFEWAY...FINEST QUALITY MEATS

Game Hens — Patti Jean or Medallion, Frozen, 20 oz. — (88¢ lb.) — SUPER SPECIAL — (Case of 24, $24.99) — $1.09 ea.

Boneless Beef Roast Sale — USDA CHOICE
Rump Roast — U.S.D.A. Choice Boneless Beef Round — lb. $1.69
Bottom Round Roast — U.S.D.A. Choice Boneless Beef Round — lb. $1.69
Cross Rib Roast — U.S.D.A. Choice Boneless Beef Chuck — lb. $1.69
Eye Round Roast — U.S.D.A. Choice Boneless Beef Round — lb. $2.19

BUY BEEF IN THE BULK & SAVE! Whole Bottom Rounds — 20-30 lbs. in the bag, Including Boneless Rump Roast, Swiss Steaks, Eye of Round Roast and Beef Stew. — $1.49 lb.

Pork Chops — Assorted. Pork Loin — lb. $1.69
Round Tip Steaks — U.S.D.A. Choice Grade Beef Round — lb. $1.99
Swiss Steak — Bottom Round, U.S.D.A. Choice Grade Beef — lb. $1.79
Red Snapper Fillets — lb. $1.59
Turkey Drumsticks — Frozen Fresh Thawed — lb. 45¢
Corned Beef — Safeway, Boneless Brisket — lb. $1.58

Produce Treats

Delicious Apples — Washington Extra Fancy, Red or Golden — 4 lbs. $1

Halloween Pumpkins — For Halloween Fun, Carve your own Jack O' Lantern — lb. 5¢

Pomegranates — 4 for $1 — The different fruit, full of refreshing juices

Persimmons — 4 for $1 — lucious, delicate flavor

Carrots clipped tops lb. 19¢
Yellow Onions lb. 19¢ U.S. No. 1
Green Cabbage ea. 19¢ fresh, firm heads

SAFEWAY...MORE THAN A FOOD STORE

Dristan Tablets — SUPER SPECIAL — Save 46¢ — 24 ct. — $1.19

Noxema Skin Cream — SUPER SPECIAL — 6 oz. — Save 40¢ — $1.29

Final-Net Hair Spray — SAFEWAY Low Price — 12 oz. — $1.99

Close Up Toothpaste — SAFEWAY Low Price — 17¢ Off Label, 6.4 oz. — $1.04

Condition Shampoo — SUPER SPECIAL — Clairol or Conditioner, 16 oz. — Save 50¢ — $1.19

Kodak Film — SAFEWAY Low Price — C-110 or C-126, 20 Exp. Roll — $1.49

Halloween Spooktacular at Marriott's GREAT AMERICA. Saturday & Sunday, Oct. 28-29. Kids, 4-11, who wear full costume, admitted free when accompanied by full-paying adult. Buy Your Tickets at Safeway

Process Your Halloween Photos at SAFEWAY! We Use Kodak Paper For Best Results.

YOUR SPECIAL STORE ...

Items and prices in this ad are available October 25, 1978, thru October 31, 1978, at all Safeway Stores in the following counties: *Solano, Napa, Sonoma, Marin, Contra Costa, *Alameda, Santa Clara, *San Mateo, Monterey and Santa Cruz. *Prices not effective in the cities of: Vacaville, Fairfield, Oakland, Berkeley, Alameda, Pacifica, Colma, So. San Francisco or Daly City. Sales in retail quantities only.

SAFEWAY

VALLEY LANDSCAPING — Bill King 659-4685 — Mushroom Mulch — Grading — Topsoil — Driveways & approaches

659-2222 — on call — 24 hours — CARMEL VALLEY ANSWERING SERVICE — ART DUNN OWNER-MANAGER

Carmel Valley Church Services

Christian Science Services
First Church of Christ, Scientist
Carmel
Sunday Services 11 a.m. and 5 p.m. Wednesday meeting 8 p.m. Sunday School at 11 a.m. Reading Room, Lincoln near Fifth. Open weekdays 10 a.m. to 5:30 p.m. Open Sundays and holidays, 1:30-4:30 p.m.
Monte Verde St., north of Ocean Ave. between 5th and 6th